

fluence, to secure the passage of that bill through the House and the Senate; in other words, that efforts are being made by some Senators and Congressmen, and other persons here who represent various States, to force this bill through, and they are seeking to obtain the influence of the Executive department to accomplish that end.

I also have some information that meetings are being held by some persons, among them Senators and Congressmen, with the Secretary of the Treasury and the Secretary of Commerce for the purpose of seeking to accomplish the end to which I have referred; namely, the forcing through of the bill and to secure the aid of Cabinet officers to influence the legislative branch of the Government.

I ask the senior Senator from Arizona if he has had any information of like nature, and what his view is of steps of that character?

Mr. ASHURST. Mr. President, responding to the inquiry of the Senator from Utah, who was kind enough five minutes ago to tell me he possessed the information, the nature of which he has just related to the Senate, it is well known to the Senate that the two Senators and the Representative in Congress from Arizona are much opposed to the so-called Swing-Johnson bill, which legislation proposes to invade the rights of the State of Arizona and the State of Utah as well. I would not speak of this subject in the absence of the Senator from California [Mr. JOHNSON] except for the fact that the interrogatory has been propounded to me.

Press reports state that Members of Congress have been in conference with Cabinet members looking toward a plan or program of compelling the adoption of a rule in another body of Congress to bring forward the Swing-Johnson bill during this session of Congress. It is reprehensible for Cabinet members to plead with and to lobby with Members of Congress and urge them to press this or that bill.

Even if a bill be a good bill, it is of doubtful propriety for Cabinet members privately to urge legislation and to, in common parlance, "put pressure" on Members.

Consider the situation; the State of Arizona is opposed to the Swing-Johnson bill, which proposes to construct a dam in the Colorado River at a point too far down the river to irrigate other than an insignificant fraction of the irrigable lands of the State of Arizona.

I shall not proceed now with any extended discussion of the bill, owing to the absence at this moment of the senior Senator from California, because he has always been courteous and gives proper notice. I shall, however, at the appropriate time, speak at some length in opposition to this bill, not that I fear that the bill will pass the Senate at this session, but I desire to set forth my views in some detail.

The Senator from South Carolina [Mr. BLEASE] has spoken to-day regarding State rights. Let me assure him that there is no Senator here more earnestly in favor of a rigid observation of State rights than I, although I do not happen to take the same view of the particular subject—Smith and Vare cases—as does the Senator from South Carolina. Men speak of State rights and then in the next breath give consent to a bill which would sever Arizona's jugular vein and condemn her to a stunted and insignificant future. I shall observe with no small degree of interest to see whether or not Senators, after having spoken for years in favor of State rights, are ready now to invade the rights of the State of Arizona by adopting the Swing-Johnson bill.

Mr. KING. Mr. President, I thank the Senator from Arizona for the statement which he has made. I can assure him that I shall be glad to render him such assistance as I can in defeating a measure which I regard as improvident, unwise, and as violative of the rights of the States. I feel that some of the States which ratified the so-called Colorado pact would do a very proper and very wise thing if they would rescind those acts of ratification until California shall ratify without reservation, and until a suitable plan has been devised for the development of the Colorado River.

When a resolution shall be adopted authorizing the President of the United States to appoint a suitable commission, three of the most eminent engineers in the United States, to investigate the project and to submit a report as to its feasibility and method of development, and when action has been had under such a resolution and the data obtained, then and not until then ought the Congress to undertake to legislate upon the matter. In the meantime the opportunity should be given to all the States to determine whether they shall accept the Colorado pact. Arizona has refused, but some of the States have ratified, I think under a misapprehension, and I believe

they would be entirely justified in rescinding the act of ratification in the present situation.

MATERNITY AND INFANT HYGIENE

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7555) to authorize for the fiscal years ending June 30, 1928, and June 30, 1929, appropriations for carrying out the provisions of the act entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921.

Mr. BLEASE. Mr. President, I desire to propound a parliamentary inquiry. I want the Chair to recognize me before we take a recess, because I do not know whether the discussion which has just taken place would take me from the floor or not.

The VICE PRESIDENT. Under the rule the Senator could not retain the floor over an adjournment.

Mr. BLEASE. I yielded with the understanding that there was to be a recess, and then this other matter intervened. I merely desire to have the Chair recognize me so that I may finish my remarks in the morning.

The VICE PRESIDENT. The Chair will recognize the Senator.

RECESS

Mr. CURTIS. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and the Senate (at 5 o'clock and 8 minutes p. m.) took a recess until to-morrow, Thursday, January 13, 1927, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

WEDNESDAY, January 12, 1927

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord God, what a satisfaction is ours in the consciousness that Thou art our Father and will be with us all the way. To Thee we would yield ourselves and make known our loving obedience. Come to any who may be in the lowland of discouragement; bestow great comfort upon any who may be alone with their burdens; give the blessing of quiet trust to the doubting heart, and unto all of us let come the assurance of Thy tender care until the volume of this earthly life is closed. In the name of Jesus. Amen.

The Journal of the proceedings of yesterday was read and approved.

ENROLLED BILLS SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled House bills of the following titles, when the Speaker signed the same:

H. R. 11515. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the city of Minneapolis the silver service set in use on the cruiser *Minneapolis*;

H. R. 13016. An act granting the consent of Congress to the city of Chicago to construct a bridge across the Calumet River at or near One hundred and sixth Street, in the city of Chicago, county of Cook, State of Illinois;

H. R. 13067. An act granting the consent of Congress to the State of Montana, or Roosevelt County, or McCone County, in the State of Montana, or either or several of them, to construct, maintain, and operate a bridge across the Missouri River at or near Wolf Point, Mont.;

H. R. 14239. An act granting the consent of Congress to Meridian & Bigbee River Railway Co. to construct, maintain, and operate a railroad bridge across the Tombigbee River, at or near Naheola, Ala.; and

H. R. 14688. An act granting the consent for the construction of a bridge across the Waccamaw River in South Carolina.

AGRICULTURAL APPROPRIATION BILL

Mr. MAGEE of New York. Mr. Speaker, I call up the conference report on the bill (H. R. 15008) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1928, and for other purposes, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from New York calls up the conference report on the agricultural appropriation bill and asks unanimous consent that the statement be read in lieu of

the report. Is there objection? [After a pause.] The Chair hears none.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15008) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1928, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 15, 22, 24, 31, and 52.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 7, 11, 21, 30, 32, 33, 34, 35, 36, 37, 38, 40, 41, 42, 43, 44, 45, 46, 48, 49, 50, and 51, and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,927,073"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,646,073"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$441,670"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$8,610,360"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$10,671,470"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$425,134"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$487,434"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$499,734"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$260,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$140,000"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,945,425"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$500,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$337,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47,

and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$43,610"; and the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 13, 25, 26, 29, 39, and 53.

WALTER W. MAGEE,
L. J. DICKINSON,
EDWARD H. WASON,
JAMES P. BUCHANAN,

Managers on the part of the House.

CHAS. L. McNARY,
W. L. JONES,
I. L. LENROOT,
LEE S. OVERMAN,
WM. J. HARRIS,
JOHN B. KENDRICK,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15008) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1928, and for other purposes, submit the following written statement explaining the effect of the action agreed on by the conference committee and submitted in the accompanying conference report:

On Nos. 1, 2, and 3, relating to the Office of Experiment Stations: Appropriates \$25,000 for the maintenance of the agricultural experiment station in the Virgin Islands, as proposed by the Senate, instead of \$22,180, as proposed by the House, and corrects totals in the bill.

On Nos. 4, 5, and 6, relating to the Extension Service: Appropriates \$108,045, as proposed by the Senate, instead of \$103,300 as proposed by the House, to enable the Secretary of Agriculture to make suitable exhibits at fairs, corrects a total in the bill, and limits the amount which may be expended for personal services in the District of Columbia to \$400,000, as proposed by the House, instead of \$402,000, as proposed by the Senate.

On No. 7: Corrects a total in the bill.

On Nos. 8 and 9, relating to the Weather Bureau: Appropriates \$1,927,073 for expenses of the Weather Bureau outside the city of Washington, instead of \$1,922,000, as proposed by the House, and \$1,928,544, as proposed by the Senate, and corrects a total in the bill.

On Nos. 10, 11, 12, and 14, relating to the Bureau of Animal Industry: Appropriates \$441,670 for animal-husbandry investigations, instead of \$429,170, as proposed by the House, and \$449,170, as proposed by the Senate; provides that \$77,950 may be used for experiments in poultry breeding, as proposed by the Senate, instead of \$72,950, as proposed by the House; inserts a subtotal in the bill; and corrects the total of the amount to be appropriated for the Bureau of Animal Industry.

On Nos. 15, 16, 17, 18, and 19, relating to the Bureau of Dairy Industry: Strikes out the language proposed by the Senate authorizing the expenditure of \$7,600 for the construction of buildings; appropriates \$425,134 for dairy investigations, instead of \$442,194, as proposed by the Senate, and \$420,494, as proposed by the House; inserts a subtotal in the bill; corrects the total of the amount to be appropriated for the Bureau of Dairy Industry; and provides that not to exceed \$260,000 may be expended for personal services in the District of Columbia, instead of \$264,000, as proposed by the Senate, and \$256,000, as proposed by the House.

On Nos. 20, 21, 22, 23, and 24, relating to the Bureau of Plant Industry: Appropriates \$140,000 for the investigation of diseases of forest and ornamental trees instead of \$164,255, as proposed by the Senate, and \$134,160, as proposed by the House; appropriates \$197,660 for the investigation and improvement of fruits, as proposed by the Senate, instead of \$192,660, as proposed by the House; appropriates \$115,000 for horticultural investigations, as proposed by the House, instead of \$117,300, as proposed by the Senate; corrects a total in the bill; and provides that not to exceed \$1,393,800 may be expended for personal services in the District of Columbia, as proposed by the House, instead of \$1,397,800, as proposed by the Senate.

On Nos. 27 and 28, relating to the Forest Service: Appropriates \$500,000 for investigations relating to wood utilization, instead of \$530,264, as proposed by the Senate, and \$490,264, as proposed by the House; appropriates \$337,000 for silvicultural investigations instead of \$342,000, as proposed by the Senate, and \$332,000, as proposed by the House.

On Nos. 30 and 31, relating to the Bureau of Chemistry and Soils: Inserts the language proposed by the Senate authorizing

cooperation with individuals, associations, etc., in the investigation of plant-dust explosions and fires; and provides that not to exceed \$879,294 may be expended for personal services in the District of Columbia, as proposed by the House, instead of \$887,294, as proposed by the Senate.

On Nos. 32, 33, 34, and 35, relating to the Bureau of Entomology: Appropriates \$130,980 for investigations of insects affecting nuts as proposed by the Senate instead of \$124,980 as proposed by the House; appropriates \$196,480 for investigations of insects affecting truck crops as proposed by the Senate instead of \$186,480 as proposed by the House; inserts a subtotal in the bill; and corrects the total of the amount to be appropriated for the Bureau of Entomology.

On Nos. 36, 37, and 38, relating to the Bureau of Biological Survey: Appropriates \$72,000 for the maintenance of game and bird reservations as proposed by the Senate instead of \$54,000 as proposed by the House; inserts a subtotal in the bill; and corrects the total amount to be appropriated for the Bureau of Biological Survey.

On Nos. 40, 41, 42, 43, 44, and 45, relating to the Bureau of Agricultural Economics: Inserts the language proposed by the Senate authorizing scientific research to discover new uses for American-grown cotton; appropriates \$596,780 for information relating to the marketing, handling, and so forth, of farm and food products as proposed by the Senate instead of \$571,780 as proposed by the House; inserts a subtotal in the bill; appropriates \$241,820 as proposed by the Senate instead of \$231,820 as proposed by the House for the administration of the United States warehouse act; corrects a total in the bill; and provides that not to exceed \$1,881,600 may be expended for personal services in the District of Columbia as proposed by the Senate instead of \$1,864,000 as proposed by the House.

On No. 46: Inserts a subtotal in the appropriations available for the salaries and expenses of the Federal Horticultural Board.

On No. 47: Appropriates \$43,610 instead of \$45,610 as proposed by the Senate and \$41,610 as proposed by the House for experiments in dairying and livestock production in the western United States.

On Nos. 48 and 49, relating to passenger-carrying vehicles: Provide that \$45,000 of the amount available for the purchase and maintenance of passenger-carrying vehicles may be expended for vehicles to be used in the District of Columbia, as proposed by the Senate, instead of \$30,000, as proposed by the House; and provide further, that \$40,000, as proposed by the Senate, instead of \$25,000, as proposed by the House, may be used in the purchase and exchange of vehicles used by the Bureau of Public Roads.

On Nos. 50 and 51, relating to forest roads and trails: Correct certain totals and language in the bill.

On No. 52: Strikes out the language proposed by the Senate authorizing allotments for the construction of a road from Maine, Ariz., to the Grand Canyon National Park in Arizona.

The committee of conference have not agreed upon the following amendments of the Senate:

On No. 13, relating to language inserted by the Senate authorizing the Department of Agriculture to perform inspections of food for other branches of the Federal Government, the costs of such inspections to be reimbursed by available appropriations.

On Nos. 25, 26, and 29, relating to language inserted by the Senate appropriating \$3,000 for the purchase and maintenance of a herd of long-horned Spanish-bred cattle, to be maintained on the Wichita National Forest as example of a historic breed of cattle nearly extinct.

On No. 39, relating to language inserted by the Senate authorizing the Bureau of Public Roads to hereafter perform engineering services in connection with the construction of roads for other branches of the Federal Government.

On No. 53, relating to the total of the appropriations carried in the bill.

WALTER W. MAGEE,
L. J. DICKINSON,
EDWARD H. WASON,
JAMES P. BUCHANAN,

Managers on the part of the House.

Mr. MAGEE of New York. Mr. Speaker, the bill as finally agreed upon by the conferees carries \$132,354 more than the bill carried as passed by the House, and under the agreement of the conferees the bill as finally agreed to is \$4,624,831 under the estimates of the Bureau of the Budget.

Mr. SNELL. Will the gentleman yield for one question, please?

Mr. MAGEE of New York. I will.

Mr. SNELL. I did not notice in the report what was finally done in reference to the investigation of forest products.

Mr. MAGEE of New York. The gentleman refers to the laboratory in Wisconsin. The amount carried for this fiscal year is \$403,264. It developed during our hearings that the bureau or the Forest Service is expending more money. We ascertained that an additional amount of \$87,000 was allotted from other items for that purpose and so stated to the House when the bill was reported. That would make \$490,264. The subcommittee of the House drafting the bill finally concluded they would not disturb existing conditions, although we felt that was too large an amount. The bill as passed by the House carried \$490,264. The Bureau of the Budget recommended an increase of \$40,000. The Senate passed an amendment increasing the amount \$40,000 more, making a total of \$530,264. At the conference it developed that there was another item of \$5,100 allotted for this purpose, so that instead of \$403,264 being expended for this laboratory as we supposed, there will actually be available for this fiscal year \$495,364. In order to reach an agreement with the Senate conferees the House conferees compromised on \$500,000.

Mr. SNELL. That seems an entirely reasonable amount for this purpose, does it not?

Mr. MAGEE of New York. I think it is too large; and in addition to that they will receive \$5,100, making available for the fiscal year 1928 \$505,100.

Mr. SNELL. That is practically \$100,000 more than was available last year, according to our appropriations?

Mr. MAGEE of New York. More than the amount they were supposed to be using.

Mr. SNELL. That ought to be satisfactory to everybody.

Mr. MAGEE of New York. I want to say it is difficult to get all the facts. I am going into this subject more fully at hearings during the next session. I think that a half million dollars for scientific research for this Government laboratory is entirely too much money.

Mr. SNELL. I want to compliment the committee in getting all the information there is in regard to it.

Mr. MAGEE of New York. For instance, it developed that they have technical advisers in reference to all kinds of wood products, even to the nicety, for instance, as to whether a board should be 6 inches wide or 4 inches, 8 feet long or 4 feet.

Mr. GREEN of Iowa. If the gentleman will yield, the history of all these bureaus is that when we establish them they extend their work beyond what Congress contemplated and want more money.

Mr. MAGEE of New York. This laboratory has been doing great work. There is no doubt about that; and it should be reasonably maintained; but the question is how far the work should be permitted to go.

Mr. SNELL. I agree with my colleague from New York. What progress has been made with respect to the project of sending a commission to Japan to report on trees?

Mr. MAGEE of New York. The House allowed approximately \$12,000. The Senate increased that, but the conferees compromised on about \$20,000.

Mr. TILSON. What was the final figure agreed upon over the original amount as passed by the House?

Mr. MAGEE of New York. The House receded to the extent of \$132,354.

Mr. TILSON. That is the amount of difference between the two Houses?

Mr. MAGEE of New York. The amount of the difference between the two Houses was \$222,204. The difference between the amount passed by the House and the amount finally agreed to is an increase of \$132,354.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in dispute.

The Clerk read as follows:

Senate amendment No. 13: Page 21, line 12, after the figures "\$2,061,110," insert: "Provided, That the Department of Agriculture may upon request of any branch of the Federal Government perform inspections of food and other products and receive reimbursement of the cost of such inspections, including salaries and expenses, out of appropriations available therefor."

Mr. MAGEE of New York. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The SPEAKER. The gentleman from New York moves that the House recede and concur in the Senate amendment. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next Senate amendment.

The Clerk read as follows:

Senate amendment No. 25: Page 34, line 11, strike out the figures "\$754,451" and insert in lieu thereof the following: "Provided, That not to exceed \$3,000 of the sum appropriated in this paragraph shall be expended for the purchase and maintenance of a herd of long-horned or Spanish breed of cattle for the Wichita National Forest in Oklahoma to the end that the present comparatively few living examples of this historic breed of cattle may be preserved from complete extinction."

Mr. MAGEE of New York. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The SPEAKER. The gentleman from New York moves that the House recede and concur in the Senate amendment. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next Senate amendment.

The Clerk read as follows:

Senate amendment No. 26: Page 35, line 9, strike out the figures "\$6,013,492" and insert in lieu thereof "\$6,016,492;"

Mr. MAGEE of New York. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The SPEAKER. The gentleman from New York moves that the House recede and concur in the Senate amendment. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next Senate amendment.

The Clerk read as follows:

Senate amendment No. 29: Page 40, line 1, strike out the figures "\$8,590,834" and insert in lieu thereof "\$8,643,834."

Mr. MAGEE of New York. Mr. Speaker, I move that the House recede and concur in the Senate amendment, and in lieu of the sum inserted by Senate amendment insert "\$8,608,570."

The SPEAKER. The gentleman from New York moves that the House recede and concur in the Senate amendment with an amendment, which the Clerk will report.

The Clerk read as follows:

In lieu of the matter proposed by the Senate amendment, insert "\$8,608,570."

Mr. CHINDBLOM. Is that additional \$18,000 for a particular purpose?

Mr. MAGEE of New York. That, as I understand, is the amount appropriated for the Forest Service.

The SPEAKER. The question is on agreeing to the motion of the gentleman from New York.

The motion was agreed to.

The SPEAKER. The Clerk will report the next Senate amendment.

The Clerk read as follows:

Senate amendment No. 39: Page 54, line 19, after the word "distributed" insert a colon and the following proviso: "Provided further, That hereafter, the Secretary of Agriculture is authorized upon the request of any branch of the Federal Government, to perform any engineering service in connection with the survey, construction, maintenance, or improvement of roads, payment of the salaries and expenses of employees so engaged, and of the cost of transportation, repairs, and replacements of equipment and supplies of the Department of Agriculture used in such work to be made by transfer of funds in the manner provided by section 7 of the act approved May 21, 1920, (41 Stat. p. 613)."

Mr. MAGEE of New York. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. BLANTON. Mr. Speaker, will the gentleman yield me five minutes on this item?

Mr. MAGEE of New York. Yes; I yield to the gentleman.

Mr. BLANTON. Mr. Speaker, I do not believe that in another body such action as this ought to be taken that is in direct conflict with the rules of the House. Now, if such a provision as this had been offered even by our committee to their bill, it would have been subject to a point of order, and upon the point being made, would have been stricken out of the bill. If it had been offered from the floor by the chairman of the committee in charge of this bill, it would have met with a like fate. It is improper to put such items into an appropriation bill when they are purely legislation. This does away with the per diem and allowance for subsistence authorized in the general law that affects every other employee of the Government. Yet when we pass a bill in this House and confine it to the rules of the House and send it to another body

at will, such improper amendments are placed therein at will, because no one in another body will make points of order against them. They are just as much subject to points of order in other bodies as they are in this one if the points of order were made, but they are not made and these items of legislation come back to us and we have got to vote them up or down.

I was one of those who supported the proposition to place in the hands of one committee the power of appropriation and to take it from all of the other big committees of this House. I thought that was the only thing to be done if we would ever expect to effect governmental economy. I was one of those who supported the Budget plan, and I believe in the Budget yet, but if these items of legislation are continually agreed upon in conference by the House conferees and are continually placed in appropriation bills, sooner or later, mark me, you are going to find a revolution here on the floor of this House by the membership that is going to do away with the present situation and take out of the hands of this big committee all of the power of appropriation.

Mr. MAGEE of New York. Will the gentleman yield?

Mr. BLANTON. Certainly.

Mr. MAGEE of New York. We have not agreed to it. It was brought back for you to vote upon it.

Mr. BLANTON. But the gentleman has not asked that we disagree to it.

Mr. MAGEE of New York. Certainly not.

Mr. BLANTON. He has asked that we agree to it.

Mr. MAGEE of New York. You can vote as you please.

Mr. BLANTON. But the chairman of this subcommittee comes in here and asks us to concur in it, and he knows that when the chairman does that the rank and file of the rubber stamps who sit in the House back up the subcommittee and back up the chairman. He knows that, and there is nobody on God's earth who can stop him.

Mr. MAGEE of New York. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. MAGEE of New York. This is a matter, as I understand it, which everybody wants. Nobody is objecting to it. If the gentleman does not want it, he can vote against it.

Mr. BLANTON. I am not saying I do not want it, but I am inveighing against this improper action of the Committee on Appropriations. We have a legislative committee that is in session. We have a Rules Committee that is in session all the time. It is accessible, and it is not hard to reach the gentleman from New York [Mr. SNELL]. Last Saturday, in the twinkling of an eye, by unanimous consent, we took up a piece of legislation on the floor and voted an authorization for \$10,000,000 to do away with the corn borer. It was not hard to do it, because it came through the proper channels and from the proper legislative committee. The gentleman from Indiana [Mr. PURNELL] had no trouble whatever in getting that matter up.

I am not saying these are not salutary provisions, but I am inveighing against this continual practice, which is growing with the Committee on Appropriations, to do not only the appropriating for the House but to take up the legislative powers of this House and assume them to the detriment of every other committee in the House.

The SPEAKER. The time of the gentleman from Texas has expired. The gentleman from New York moves to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 53: On page 80, line 14, strike out the figures "\$128,379,385" and insert in lieu thereof the figures "\$128,601,589."

Mr. MAGEE of New York. Mr. Speaker, I move that the House recede and concur with an amendment. In lieu of the sum proposed by said amendment insert \$128,511,739.

The SPEAKER. The gentleman from New York moves to recede and concur in the Senate amendment with an amendment, which the Clerk will report.

The Clerk read as follows:

In lieu of the sum proposed by said amendment insert "\$128,511,739."

The motion was agreed to.

AGRICULTURE

Mr. MILLS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by printing a letter received from the president of the National Industrial Conference Board with reference to a commission to investigate agricultural conditions.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. MILLS. Mr. Speaker, under the leave granted me I submit the following:

NEW YORK CITY, December 31, 1926.

MAGNUS W. ALEXANDER, ESQ.,

President National Industrial Conference Board,

247 Park Avenue, New York City.

DEAR MR. ALEXANDER: I understand that, following up its recent investigation of agricultural conditions, the results of which were published in the form of a report last spring, the National Industrial Conference Board suggested the appointment of a business men's commission on agriculture. I understand that such a commission has been appointed, but I have no knowledge as to the character of the commission and its general purposes. I shall appreciate it, therefore, if you will give me all the facts in respect of this commission and let me know just what you hope to accomplish.

Thanking you for your courtesy in the matter, believe me,

Very sincerely yours,

OGDEN L. MILLS.

NATIONAL INDUSTRIAL CONFERENCE BOARD (INC.),

New York, January 4, 1927.

DEAR CONGRESSMAN MILLS: Your favor of December 31, 1926, in which you request information in regard to the recent appointment of a business men's commission on agriculture and its contemplated work, has come to hand. I am very glad to give you herewith the requested information, together with a brief statement of the background out of which the organization of the commission arose.

The National Industrial Conference Board recognizes that the position of American agriculture is of vital concern to all of the people of the United States and that the development of sound, far-sighted national policies in regard to agriculture is therefore a very important national problem requiring adequate attention and wise adjustment.

Moreover, the conference board is aware of the close relationship and interdependence of American agriculture and other economic groups in our national life. American farmers are buying about \$6,000,000,000 worth of manufactured goods from American industry each year and, in addition, spend about \$4,000,000,000 for services rendered by others annually. Their product supplies one-eighth of the tonnage carried by our railroads and constitutes about one-half of the total value of exports from the United States. It is therefore clear that, if agriculture is economically handicapped, industry, commerce, finance, and transportation likewise can not in the long run enjoy a full measure of prosperity. In a sense, even more important than either of these arguments in favor of the business men's concern in agricultural development, is the importance in our body politic of the farmer and his great influence upon our social and public life and the stability of our Nation.

National Industrial Conference Board, broadly representative of American industry in respect to the economic problems arising out of or influencing industry and devoted to comprehensive, scientific study and interpretation of these problems, with the aid of the vast knowledge and experience and the practical judgment of its membership composed of important business executives throughout the country and the scientific equipment and training of its research staff, undertook therefore, about a year and a half ago, an investigation which culminated last spring in the issuance of a book entitled "The Agricultural Problem in the United States." This book, we are told, is the best available fact picture of the condition of agriculture and a comprehensive statement of the causes out of which it has developed.

In the concluding pages of the book, the conference board suggests that it would be desirable in the national interest "for leading representatives of American industry, commerce, transportation, and finance, in conjunction with leaders of agriculture, to study jointly and sympathetically, on the basis of the conference board's report, the agricultural situation and its causes, to appraise its consequences and to present for the consideration of the public their mature judgment of the possibilities and desirable avenues of remedy and readjustment."

In response to the many requests received by the conference board through various sources in various parts of the country, including agricultural associations and leaders, for the organization of a business men's commission as suggested, the conference board decided last May to organize such a commission and associated itself for this purpose with the Chamber of Commerce of the United States, which, for the last two years, had shown its keen interest in the agricultural problem through public conferences and discussions in various parts of the country and otherwise.

The conference board and the national chamber were fortunate in persuading outstanding personalities of the country's business life to accept membership in a business men's commission on agriculture and to give fully of their time and energy to the task until some constructive result will have been achieved. The sponsor bodies were particularly fortunate in securing as chairman of the commission the

Hon. Charles Nagel, of St. Louis, a fine type of public servant as former Secretary of Commerce and Labor and a man of wide experience and great knowledge, of independence and impartiality of mind, who commands general confidence among all groups.

The members of the commission are—

Hon. Robert W. Bingham, Louisville, Ky., publisher Louisville Courier Journal.

Mr. E. N. Brown, New York City, chairman of the board St. Louis-San Francisco Railway Co.

Mr. E. M. Herr, New York City, president Westinghouse Electric & Manufacturing Co.

Mr. J. G. Lonsdale, St. Louis, Mo., president National Bank of Commerce.

Mr. William Cooper Procter, Cincinnati, Ohio, president Procter & Gamble Co.

Mr. Arthur R. Rogers, Minneapolis, Minn., president Rogers Lumber Co.

Mr. John Stuart, Chicago, Ill., president Quaker Oats Co.

Mr. Alfred H. Swayne, New York City, vice president General Motors Corporation.

Mr. Paul M. Warburg, New York City, chairman International Acceptance Corporation.

The business men's commission has already gone to work and, aside from an executive session, has already held one series of hearings in New York City and is planning to hold other series of hearings in various important sections of the country in order to give full opportunity for men with matured opinions on the agricultural situation and its necessary readjustment to discuss their views fully and frankly with the commission.

The business men's commission will function in complete independence of the policies or attitudes of its two sponsor bodies—National Industrial Conference Board and the Chamber of Commerce of the United States—although its financial support will come from these organizations, neither of which thereby assumes any responsibility for the commission's activities or findings.

The task placed before the commission by its sponsor bodies is stated in these words: "A consideration of the condition of agriculture in the United States and its major causes and all of the larger problems confronting it and, on the basis of such a fact picture, to analyze critically the various proposals already made or to be made to the commission for the amelioration of present difficulties and the avoidance of their recurrence, and to formulate, if practicable, a national program for sound agricultural development in harmony with sound progress of all branches of the American business structure, and to issue a report thereon."

The commission intends to organize an advisory farm board, composed of important men actually engaged in the business of farming and representative of the major agricultural sections of the country, in order to keep the commission currently in close touch with the specific problems, needs, and limitations of the major divisions of agriculture, and to assure farmers that their many-sided problem will be adequately presented to the commission.

The agricultural problem is essentially an economic problem. Its solution should be sought through the cooperation of all economic interests along sound economic lines and with due regard to the place and responsibility of Congress and the Government in the premises.

The creation of the business men's commission on agriculture is definite proof of the American business men's recognition of the existence of an agricultural problem in our country and of their readiness to help toward a proper solution of the same.

I am inclosing a copy of my recent brief address on "The agricultural problem—a challenge to American business."

Trusting that I have given you the desired information, believe me,

Very sincerely yours,

J. M. ALEXANDER, President.

Hon. OGDEN L. MILLS,

House of Representatives, Washington, D. C.

JOINT REUNION OF THE GRAND ARMY OF THE REPUBLIC AND THE UNITED CONFEDERATE VETERANS

Mr. HOWARD. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. HOWARD. Mr. Speaker, I come now to direct the attention of the House and the country to a subject of vast interest to the fast-falling membership of the Grand Army of the Republic and the United Confederate Veterans. They are discussing now a proposition to hold in the city of Washington in 1928 a joint reunion of the survivors of those two once mighty, but now falling organizations—falling only physically.

I am particularly interested because of the fact that some of my own people were enrolled under the stars and stripes

in that great conflict, and some under the stars and bars. Again I am particularly interested because of the fact that a magnificent soldier of the Union—Hon. L. D. Richards, residing at Fremont, Nebr., in my own district—has been the chiefest advocate of this final joint reunion of the survivors of the armies of the blue and the gray. He presented his plan at the last reunion of the Grand Army of the Republic, held at Des Moines, Iowa, and will again present it at the 1927 reunion. I believe I can best introduce this splendid soldier, statesman, and humanitarian by quoting a paragraph from one of his recent letters, as follows:

It is not material, perhaps, but the records will disclose that I was in Redfield Proctor's Fifteenth Vermont Regiment at Gettysburg, Randall's Seventeenth Vermont at Appomattox, doing guard duty in Alexandria the day of the grand review in Washington in 1865; past department commander and past president of the Nebraska Sons of the American Revolution. With this pedigree and record, naturally I am interested in the future of this Republic.

Always the noble and the brave are modest. His comrades of the Grand Army of the Republic never falter in extolling the record of Mr. Richards as a soldier of the Union.

Ten years ago, Mr. Speaker, I had the honor of representing my State, in capacity as lieutenant governor, at the joint reunion of the survivors of the armies of the blue and gray, on the historic battle field of Vicksburg, Miss. Even on that date the veterans of those two armies were unanimous in expression that age and infirmity might make that the last time when the survivors of the two mightiest armies in all history would be privileged to meet about a mutual and common camp fire; but now, if the Richards proposal shall be adopted, their dreams of a final earthly reunion in Washington in 1928 will find fruition.

The press of the country has lavishly applauded the plan of Mr. Richards for a final joint reunion of the armies of the North and of the South, but it remained for a Nebraska writer, Mr. Charles S. Ryckman, editor of the Fremont Daily Tribune, and himself a veteran of the World War, to make the master plea in this behalf, and I here proudly present his plea in letters, words, and terms, as follows:

THEIR GREAT OPPORTUNITY

Among the many records of men and events that we keep in the Tribune office there is one file more venerable than all the others, one that we approach always with reverence, too often with unshed tears.

That is the record of the veterans of the American Civil War, who live or have lived in this community. Years ago it contained many names; to-day only a few. At too frequent intervals it is necessary to refer to that file, trace slowly down the margin with the point of a pencil, pause before a name, and then to strike forever from the list the record of one more fine old man who served his country well in its hour of trial.

We dread the day when the need for that file will no longer exist, when the last name shall have been stricken from the roll; and yet it must come, and soon. The putting off of that sorrowful day is one of the great responsibilities of the American people. The prolongation of the lives of the few remaining survivors of the Civil War yet spared to us is a duty that must be shared by all of us. There must be no burdens upon their shoulders, no risking of their health. Every comfort, even luxury, must be theirs.

It is this thought, expressed many times in this column, that inspires our sponsorship of the L. D. Richards last reunion suggestion. Mr. Richards is a charter member of the Fremont post of the Grand Army of the Republic, was a mere stripling of 15 years when he first joined Redfield Proctor's Fifteenth Vermont in 1862. He is still a young man among his comrades, although the weight of the passing years has made him appear old to the rest of us.

Mr. Richards became convinced a few years ago that if he and his few remaining comrades were to hold much longer to the thread of life they must conserve health and strength. He saw that the strain and excitement of the annual encampment was taking a steady toll. The journey to the encampment city, the rigors of weather that might be encountered, the mental and physical tax upon enfeebled minds and bodies, never failed to cut short lives that might have continued on for months and years.

And so he evolved the plan that has since become a subject of national discussion, a suggestion for a glorious winding up of the affairs of the veterans' organization that, in its elements of patriotic drama, has no parallel in human history. He proposes, in brief, that a final grand reunion of all veterans of the Civil War be arranged while there is yet time; that this reunion include the veterans of the North and the South, and thus mark the final closing of the breach that once threatened the very existence of our Nation; that the age-bowed hosts of the Union and of the Confederacy march down historic Pennsylvania Avenue, this time joined in a harmony and patriotic brotherhood that will for all time symbolize the lasting unity of our people.

We had hoped that Mr. Richards's plan might be adopted at the last national encampment at Des Moines, but the men of the organization, proudly ignoring the fate that is close upon them, were reluctant to concede a point even to destiny.

Since then their number has dwindled still more. At Des Moines they marched in a cold rain, and at Dayton, Ohio, next fall, there will be many vacant fires in the ranks. Again, at Dayton, there will be the great strain of excitement, of exposure.

The fact is unavoidable that the national encampment is bringing the Grand Army of the Republic down to a last-man proposition long before its time. Recognition of this truth is becoming nation-wide. Mr. Richards, within the last year, has received indorsement of his suggestion from patriotic men and women in almost every State.

The heartfelt consideration for the welfare of the veterans themselves is only equalled by the growing appreciation of the tremendous magnitude, the overwhelming dramatic possibilities, of his inspired vision of the men of the North and of the South joining in that last great reunion.

The next national encampment of the Grand Army will be held at Dayton in the fall of the present year, and at that assembly the Richards plan will for the first time be presented with determination.

Men of the Grand Army of the Republic are coming to realize that their day is short, that the time of their opportunity for service to the Nation is nearing its close. They see the chance to do one more great thing for their country, to close forever the book that holds the record of its great civil strife, to join in unending peace and harmony the people of the far-flung sections that compose our splendid Nation.

Once before we called this inspiration of Mr. Richards a potential gesture that, in its symbolic significance, would immortalize the Grand Army on a pedestal of world peace, and stand before the peoples of all nations and the men of all generations as the greatest example of human brotherhood ever conceived in the mind of man.

Humanity is sorely in need of that gesture at this moment. Misunderstandings, race hatreds, prejudices of blood, and of creed are tearing at the very vitals of God's children. And into this era of confusion comes the Grand Army of the Republic, its ranks potent, though dwindling, with its opportunity to hold before the world's masses a blazing symbol of the holiness of peace.

NAVAL PROGRAM OF THE UNITED STATES

Mr. BACON. Mr. Speaker, I ask unanimous consent to extend my remarks by printing in the RECORD a short report and resolutions of the Chamber of Commerce of the State of New York on the naval program of the United States.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. BACON. Mr. Speaker, I insert herewith in the RECORD the report and accompanying resolutions adopted by the Chamber of Commerce of the State of New York on the subject of the naval program of the United States. I am pleased to do this; first, because I agree thoroughly with the following report and resolutions, and, secondly, because I am a member of this greatest and most important Chamber of Commerce in the United States.

I am glad that this great body of patriotic American business men and taxpayers so wholeheartedly and unanimously support an adequate Navy and a Navy to which we are entitled under the 5-5-3 ratio adopted by the Washington conference of 1922. The report and resolutions are as follows:

CHAMBER OF COMMERCE OF THE STATE OF NEW YORK.

At the regular monthly meeting of the Chamber of Commerce of the State of New York, held January 6, 1927, the following report and resolutions, submitted by its executive committee, were adopted:

NAVAL PROGRAM OF THE UNITED STATES

To the Chamber of Commerce:

It will be recalled that in 1921, two years after the signature of the treaty of Versailles, the cost of military and naval armaments was continuing at an amount which clearly had to be reduced to the reasonable requirements of peace. This condition has virtually always been found to exist at the close of all wars.

It was apparent at the close of the war, as a result of the naval program adopted by Congress, that supremacy at sea, which had been the proud boast of the British Empire for over a hundred years, was passing to the United States. Our financial resources, while heavily strained, were ample to have continued the expansion of our fleet in all its branches until complete supremacy at sea was assured. Instead of proceeding along these lines, the Government of the United States invited the naval powers of the world to a conference at Washington for the purpose of limiting naval armament.

Our Government proposed that this limitation should be general and not limited to any class of vessels, but instead of accepting such a comprehensive program, specious reasons were advanced for its limitation to capital ships, in which we were attaining superiority, and air-

plane carriers, with specific omission of any restraint upon the construction of vessels of 10,000 tons displacement, or under.

The result of the Washington conference appeared to be the acceptance by Great Britain and the United States of equality in capital ships, and a preponderance of force for the British Empire and the United States, respectively, of five to three as regards Japan. However, through the insertion of a clause in Part III, section 1, subsection (d), we seem, according to the interpretation put upon the treaty by Great Britain, to have bound ourselves not to modify the mounting of our guns in a series of our existing battleships, whereby, in fact, we surrendered not only the future superiority in tonnage, number of ships and weight of fire, in accordance with other sections of the treaty, but also acquired a position of inferiority through the fact that the elevation of our guns on existing battleships might not be increased to equal that of Great Britain and Japan.

This oversight on the part of our representatives completely changed the complexion of the ratio 5-5-3, as a substantial part of our Battle Fleet is now outranged by the ships of our rivals. However this may be, our Government deemed it wise not to press for a modification of the terms of the treaty, because of an earnest desire to further the cause of peace and disarmament. Unfortunately, it has now become evident that the other signatories of the treaty of Washington have been actuated by a desire not only to retain but possibly to attain an overwhelming superiority at sea over the naval forces of the United States—a fact which is conclusively demonstrated by the following table compiled from data embodied in the report of the Committee on Naval Affairs of the House of Representatives, as published in the United States Daily of December 22, 1926:

	Cruisers built		Cruisers building		Cruisers appropriated for		Total	
	Number	Tonnage	Number	Tonnage	Number	Tonnage	Number	Tonnage
United States.....	10	75,000	2	20,000	3	30,000	15	125,000
British Empire.....	40	194,290	11	110,000	3	28,000	54	332,290
Japan.....	19	102,005	6	54,200	-----	-----	25	156,205
France.....	3	16,731	6	53,619	1	10,000	10	80,350
Italy.....	8	30,784	2	20,000	-----	-----	10	50,784

"In addition to the British cruiser tonnage enumerated in the foregoing table, Great Britain has authorized the construction of three light cruisers (totaling 26,000 tons) each year for the next three years. These to be laid down in 1927, 1928, and 1929. This total additional authorized tonnage is 78,000 tons.

"The present Japanese ministry has fixed upon a five-year 'replacement' building program which, though not yet formally authorized, will probably be adopted by the Diet at the coming session. This proposed program includes the construction of four 10,000-ton cruisers."

That is to say, in the cruiser class the ratio against the United States is for Great Britain 2.66 to 1 and for Japan 1.25 to 1.

While this chamber is on record in support of the administrative policy of economy and the efforts of the Director of the Budget to reduce Government expenditures wherever possible the executive committee, after a careful consideration of the premises, are convinced that the proposal of the House committee to construct 10 cruisers of 10,000 tons is the minimum building program admissible if our naval defenses are to be adequate for our protection and responsibilities. Obviously, it is futile for the Government of the United States to proclaim a policy of noninterference by the nations of the world in the continents of North and South America, or to insist on adherence to our open-door policy in China, without an adequate force to make our declarations effective. It is furthermore tempting Providence for a nation, possessed of such vast resources as is our own, to expose any part of its territory to predatory forays on the part of any foreign government which may, for any reason whatsoever, deem a foreign war expedient. Neither is it wise to leave our ocean trade routes without the protection of an adequate force of cruisers. This is especially necessary in view of the fact that the conference agreed not to increase the facilities of the Philippines as a naval base.

While the executive committee deplors anything in the nature of a race for armament, the fact can not be disguised that the only effective way to secure disarmament by foreign powers is through a willingness on the part of the Government of the United States to build adequately for its own defense. Under these circumstances and pending drastic cuts in the naval building program of foreign nations, the executive committee recommends the adoption of the following resolutions; Therefore be it

Resolved, That the Chamber of Commerce of the State of New York advocates the immediate authorization of construction and appropriation of funds whereby 10 cruisers of 10,000 tons each, in addition to the 3 already authorized, may be added to the Navy at the earliest practicable moment; and be it further

Resolved, That should the Government of the United States be unable to secure by treaty a limitation in the building program of foreign

nations whereby the ratio of 5-5-3 may be maintained in spirit, as well as in fact, in all classes of naval vessels, the chamber advocates a complete restudy of the naval building program of the United States, with a view to the maintenance of adequate defenses as the best prevention of an attack upon our outlying possessions, exposed coasts, and commerce; and be it further

Resolved, That the president of the chamber and the executive committee be authorized to take such measures as may be deemed expedient and proper to present as effectively as possible the views of the chamber as embodied in this report to the President and the Congress of the United States.

WILLIAM L. DEBOST,
President.

CHARLES T. GWYNNE,
Executive Vice President.

Attest:

JERE D. TAMBLYN, Secretary.

NEW YORK, January 6, 1927.

NATIONAL DEFENSE

Mr. GARBER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of national defense.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD on the subject of national defense. Is there objection?

There was no objection.

Mr. GARBER. Mr. Speaker, the American people are in favor of peace with all nations. They are in favor of economy in the administration of the Government. They know that preparedness is our best guaranty of peace; that money appropriated for such purposes up to the point of the highest practical efficiency, when wisely administered, is well invested. They know that unpreparedness invites war; that it is equivalent to gross carelessness and sometimes criminal negligence; that it has caused the unnecessary sacrifice of thousands of American boys by disease in the congested and unsanitary camps and the lack of training and efficiency on the battle fields. They know that it caused the loss of thousands of our boys in the Spanish-American War and the loss of thousands and billions of dollars in the world's Great War.

The lessons of unpreparedness, resulting in such appalling unnecessary losses, when they were fresh in the public mind, resulted in the national defense act of 1920. That enactment was the demand of the American people for a continued state of efficient preparedness as the best guaranty of peace and insurance against loss of life in the event of necessary defense. It was the enactment of the American peace policy.

The refusal of necessary appropriations to fully comply with the spirit and purpose of the act is not within the province of the executive but the legislative branch of Government alone. Estimates of the Budget Director should not be permitted to impair this policy, even though made in the name of economy. The continual whittling away and cutting down of necessary appropriations for such purposes is not economy, fundamentally; it is false economy. It is a "penny-wise and pound-foolish" policy. It may save a few dollars to-day but result in untold losses to-morrow. Such is the lesson of experience. Such is the evidence of the men who by actual participation know at first hand what war is and what preparedness means.

I submit the views of such a one, qualified to speak, a distinguished citizen of my State and leading member of its bar and one time its attorney general, one who served as a private in the Spanish-American War and with honor and distinction as first lieutenant of infantry in the world's Great War. For clarity and brevity of statement, I commend them to the careful consideration of each member of the committee:

TULSA, OKLA., December 17, 1926.

HON. M. C. GARBER,

House of Representatives, Washington, D. C.

DEAR MILT: I wish to direct your attention to the proposed Budget estimates for the Organized Reserves.

It is possible I may be wrong in some of the deductions I shall draw from the facts that I shall state, but it is not likely that I shall misstate the facts.

In the first place, I desire to say that though I have been informed by our reserve officers' association of the apparent purpose of the present estimates to cripple the reserve movement, and have been requested to write to you, this is my letter; none of its terms are dictated, nor will I allow to be dictated to me by anyone on earth.

In the next place, I feel you will be willing to listen to what I have to say because I can have no personal interest other than the patriotic desire I have that never again shall American boys die upon a foreign battle field for want of proper training, as I saw them die in 1918.

If I repeat what you already know, pardon me for it. I shall, then, undertake to go over the whole ground hastily.

The American people adopted in 1920 a system of national defense based upon the conception of an army of three components:

1. A small Regular Army, which is to be the (a) administrative unit, the (b) instructional unit, the (c) unit to guard overseas garrison, one of the units to (d) form the first line of defense.

2. A national guard of State troops to do (a) police work for the States and (b) be one of the units to form the first line of defense (with the regular troops).

3. A reserve composed of two parts:

1. An Officers Reserve Corps to furnish trained officers for—

- (a) The Regular Army.
- (b) The National Guard.
- (c) The Organized Reserve.

2. An Organized Reserve or skeleton formation of all kinds of troops composed of (a) necessary officers and (b) enlisted specialists.

It was intended that the Organized Reserves would (a) be the part of the Army to take in the recruits procured by a selective-service law and (b) form the second line of defense.

The plan was that the Regular Army and the National Guard or first line would afford three field armies, and that the Organized Reserve or second line would afford a second supply of three field armies.

The Regular Army is planned to be approximately 280,000 men, with the National Guard approximately twice that size, and the Organized Reserve approximately equal to the sum of the other two.

Many of the best informed civilians and officers think most highly of this plan. Whether good or bad it is the present plan.

Now, unfortunately, the Regular Army, instead of consisting of 280,000, consisted June 30, 1926, of only 166,019 men. The National Guard likewise is only a minor fraction of what it was intended to be.

The consequence is that deficiencies in the first line must be made up from the second line or the Organized Reserves, and now it is proposed to decrease not the number of reserves, but the amount of funds to be available to train them. So that all the mistakes of the Spanish War, of the World War, are to be repeated in the next war.

In other words, some misguided persons are thinking of sending Oklahoma boys into the fighting line without supplying them with trained officers. To do that deliberately is, in my humble experience, nothing short of murder or necessary homicide.

Remember, I did not go through the last war in a staff or exalted position safe from injury, but where I could and did see the facts, and I know and the statistics prove, that the casualties in battle are almost confined to the raw or untrained troops or troops whose officers are raw or untrained.

If it is necessary to reduce the Army to save expenses, as I gravely doubt—but of that you know better than I do—it is foolish to reduce the funds for the training of officers to be used only in case of emergency, i. e., the Organized Reserves.

The States could care for or do without the National Guards. I do not advocate that. I should deplore it. But it is possible.

The United States might even do without a Regular Army. I should think such a step so highly dangerous as to almost consider it treason. But I see it is possible.

But to do without, to undersupply, the training of officers to lead the fighting troops in war, is in my mind the simple equivalent of murder if deliberately intended.

It is not possible to train an officer in a short period.

He can memorize a lot of dope, but he cannot imbibe methods of thought so as to become indoctrinated, which is what is needed.

So clearly have I understood this that as you know, twice I have laid aside the needs of my family and listened to the needs of my country and accepted a very subordinate position (in 1898 as private, in 1917 as first lieutenant of Infantry) in the Army of the United States.

Finally, last fall, I threw aside my private business and attended the Army War College in Washington for six weeks, for now in the Reserves I have reached a rank where the lives of a large number of men may some day rest on my clearness of mind, learning, and decision of character. I have studied military affairs since May, 1898, and I know that a good officer can not be created in 90 days or anything like it.

If the Officers Reserve Corps is (as is now planned) to supply the necessary officers for the Regular Army, the National Guard, and the Organized Reserves, if the Organized Reserve is to supply the men and officers to do the fighting (for it is perfectly ridiculous to suppose that the Regular Army can do it, being now composed of only 50,000 combatant troops of Infantry, Field Artillery, and Cavalry now located in the United States), it is vitally—more vitally than anything else I know—important that you give us the money to train them.

To train them there must be progressive training lasting continuously through all the years.

Until now we had a 15-day training period each year.

We trained yearly as follows:

1922-----	630	1925-----	14,650
1923-----	4,500	1926-----	16,000
1924-----	6,600	1927-----	16,382

But the Budget proposes to cut our appropriations \$840,423 for 1928-29.

On the face of it the amount is only reduced \$109,000. It ought to be greatly increased. But there is an item of reimbursement for operations of airplanes of \$318,226; an item of \$362,000 for pay of pilots; an item of \$50,000 for travel expense of regular officers on duty with the reserve. None of these items—nor anything of the same kind, irrespective of its amount—were ever before put against our appropriation. So that though apparently we are reduced to \$3,611,763, a reduction of \$109,000 upon its face, it is really a reduction of the aggregate of these other amounts in addition, for we have \$840,423 less for use for those things we used it for heretofore.

The authorities say that the only solution is to reduce our training period from 15 to 14 days. It takes now one day to go to training camp, one to return. No military duties for Sundays intervening, nor for Saturday afternoons. So that in 15 days, if the travel start on a Sunday, we only have 11½ days to actually train, whether it rains or shines.

Do you keep in mind—you have heard, of course—that nowadays an infantryman, to consider my arm, not only has a rifle, a bayonet, and often a pistol, but he must know the workings and tactical use of a machine gun, an automatic rifle, a trench mortar, a 1-pounder, a hand grenade, a rifle grenade? Yet even as it is, the Government can not afford to give me the use during camp of any of these except rifle, bayonet, and pistol. If my men know about these others, they must learn from books and words, not from having used them actually, as I have done. Can you learn to play tennis standing on the side lines?

Further, nowadays an infantryman ought to know about airplanes. The only way he can learn a thing even is to go up in one, if he can intrigue a kind airman to take him up. And if on that trip the ship is wrecked the air pilot is a regular officer, and his future, if injured, is covered by his retirement pay, but the reserve officer has no retirement pay, though mangled in the performance of his duty. Why the difference? Economy, I suppose. No decent reason can be stated.

The Organized Reserve is the future Army of the United States, its citizen soldiers. Why can't the United States do as well for us as it does for the National Guard? They get a uniform allowance, drill pay, as much mileage pay as regular officers. We get no uniform allowance, no drill or school pay, only one-half the other officers' travel pay.

The reason for this is, the Organized Reserve is an orphan. No one looks out for it, though it must fight the battles of this country.

I wonder if the 27 dead men I lost September 12, 1918, at St. Mihiel—mostly because they did not know—want their young cousins from Oklahoma—for that was an Oklahoma regiment—to be killed likewise “because they don't know how”? I promised myself I would remember the payment made by those 27 because they did not have well-trained officers. I am trying to do it. Can I persuade you to help me?

Very sincerely, your friend and fellow citizen,

CHAS. WEST,

Colonel Three hundred and seventy-eighth Infantry.

INDEPENDENT OFFICES APPROPRIATION BILL

Mr. WOOD. Mr. Speaker, I move that the House resolve itself into Committee of the whole House on the state of the Union for the further consideration of the bill (H. R. 15959) making appropriation for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1928, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. BAC in the chair.

The Clerk read the title of the bill.

The Clerk read as follows:

BOARD OF TAX APPEALS

For every expenditure requisite for and incident to the work of the Board of Tax Appeals as authorized under Title IX, section 900, of the revenue act of 1924, approved June 2, 1924, as amended by Title A of the revenue act of 1926, approved February 26, 1926, personal services (including 12 employees at rates of compensation to be fixed by the board, not in excess of \$7,500 each per annum), stenographic reporting services to be obtained on and after the passage of this act by the board in its discretion, through the civil service or by contract, or renewal of existing contract, or otherwise, rent at the seat of government and elsewhere, traveling expenses, car fare, stationery, furniture, office equipment, purchase and exchange of typewriters, law books and books of reference, periodicals, and all other necessary supplies, \$682,740, of which amount not to exceed \$558,000 may be expended for personal services in the District of Columbia: *Provided*, That this appropriation shall not be available for rent of buildings in the District of Columbia if suitable space is provided by the Public Buildings Commission.

Mr. BLANTON. Mr. Chairman, I make a point of order on the following language, in line 1, on page 10, beginning with the words—

personal services (including 12 employees at rates of compensation to be fixed by the board, not in excess of \$7,500 each per annum), stenographic reporting services to be obtained on and after the passage of this act by the board, in its discretion, through the civil service or by contract.

I make a point of order against this language for the reason that it is legislation unauthorized upon an appropriation bill and that, among other things, it creates 12 new positions at \$7,500 a year each, which is unauthorized by law.

Mr. GREEN of Iowa. Will the gentleman from Texas withhold his point of order for a moment?

Mr. BLANTON. Mr. Chairman, I reserve the point of order if the gentlemen want to speak on it.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word.

I hope the gentleman from Texas [Mr. BLANTON] will withdraw his point of order. I have not examined into the matter, but I am inclined to think the point is good, strictly speaking. But these employees are absolutely necessary to the carrying on of the work of the board. I think the gentleman from Texas hardly understands the enormous amount of work that is coming in on this board. Even now there are appeals being made at the rate of over 20 per day.

Mr. BLANTON. Will the gentleman yield?

Mr. GREEN of Iowa. Certainly.

Mr. BLANTON. I am not saying that these positions are not needed; but being new positions, I think such a matter as this should come from the proper legislative committee.

Mr. GREEN of Iowa. I suppose that would be the Ways and Means Committee, of which I happen to be the chairman.

Mr. BLANTON. And the Ways and Means Committee, presided over by the distinguished gentleman from Iowa, is one of the most active committees in the House and can function very rapidly when there is necessity for it.

Mr. GREEN of Iowa. I do not know about that. This particular matter is not a revenue matter, and the bill would not be privileged. This matter, however, has the support of the Ways and Means Committee.

Mr. TILSON. Will the gentleman from Iowa yield?

Mr. GREEN of Iowa. Yes.

Mr. TILSON. After all, is it not hoped that this will be a temporary matter that ought not to be provided for by permanent legislation? Is it not something that very properly can be taken care of in an appropriation bill, especially with the approval of the gentleman's committee?

Mr. BLANTON. Mr. Chairman, I think I can settle the controversy. It having been admitted by the committee and by the distinguished chairman of the Ways and Means Committee [Mr. GREEN] that this is legislation unauthorized on an appropriation bill, and therefore subject to the point of order, and my colleague, the gentleman from Texas [Mr. GARNER], who is the ranking minority member on the Ways and Means Committee, being in favor of the proposition and telling me he has investigated it and finds it is urgently necessary, under these circumstances I withdraw the point of order.

Mr. BLACK of Texas. Mr. Chairman, I reserve a point of order.

Mr. GREEN of Iowa. Will the gentleman from Texas [Mr. BLACK] proceed? Has the gentleman any question to ask in regard to the matter?

Mr. BLACK of Texas. I wish to inquire for some information. I have read the hearings on this particular item, but not recently. It is my understanding that the official who represented the Board of Tax Appeals before the Committee on Appropriations stated he could employ the kind of men needed at \$6,000 per annum.

Mr. GREEN of Iowa. No; the gentleman is in error in relation to that. That is just the point. The men he wants to get are now getting \$5,800 to \$6,000. These would be temporary positions, and we can not expect these men to leave a permanent position at \$5,800 or \$6,000 and take a temporary job at about the same salary which they are now getting. This is only a temporary matter.

Mr. BLACK of Texas. On page 89 of the hearings I find this question asked by the gentleman from Indiana [Mr. WOOD]:

Mr. WOOD. Just answer my question. Suppose that you were given \$30,000 and you employed five men at \$6,000 apiece. How many cases would you decide in a year?

Mr. KORNER. Mr. Chairman, you have asked me a question that is impossible to answer. I will explain why. It would first depend on the character of cases—

And so on.

Nowhere in the hearings do I find that the salary of \$7,500 per annum was discussed at all.

Mr. WOOD. Mr. Chairman, I think I can straighten the gentleman out on that point. The salaries of the gentlemen he will put on come within the classification of from \$6,000 to \$7,500, and we put on a limitation of \$7,500 so they could not possibly go beyond the limit of the classification.

Mr. BLACK of Texas. The point is he wishes to set aside the reclassification act and instead of appointing these men at \$6,000 and allowing them to progress in the regular way to \$7,500, he wants to set aside the act and appoint them at once at \$7,500.

Mr. WOOD. No; the gentleman is mistaken about that. Under the reclassification law they have to come in at the lowest grade; but in order to protect the item we have put on a limitation, which is the maximum amount to which they may go. They will have to commence at \$6,000, because the reclassification act requires that the entrance shall be at the bottom of the grade.

Mr. BLACK of Texas. Let us see what the language is—

Including 12 employees at rates of compensation to be fixed by the board, not in excess of \$7,500 each per annum.

If the gentleman will agree to say that these 12 men shall come in at not in excess of \$6,000 per annum, which is the opening grade, I have no objection; but I am going to make a point of order against the provision as now drawn, because if it is left that way you will permit the Board of Tax Appeals to appoint every one of these men at \$7,500 per annum, which I think would be in violation of the spirit of the reclassification act of 1923.

Mr. GREEN of Iowa. If the gentleman will permit, that is the only way they can get them. How does the gentleman expect them to be able to take men out of another department who are now getting \$5,800 or \$6,000 in permanent positions under the Civil Service Commission and have them agree to accept these positions at the same salary when they are not likely to be permanent? It is not expected they will be kept permanently.

Mr. BLACK of Texas. Let me call this fact to the gentleman's attention. The reclassification act of 1923 provides that it shall cover all Government employees whose salaries are not otherwise fixed. Now we have in this bill appropriated for the Federal Trade Commission; they are not undertaking to go beyond the reclassification law. We have provided for the General Accounting Office with all its requirements for expert accountants, and they are not undertaking to go beyond the reclassification law. Why should we make an exception in favor of the Board of Tax Appeals? It does not appear to me that we should do it.

Mr. WOOD. The Board of Tax Appeals is a new activity, requiring just as expert men as the General Accounting Office or the auditors in the Treasury Department.

Mr. BLACK of Texas. These men in other Government departments are appointed under the general reclassification act.

Mr. WOOD. I understand that, but by reason of their having been serving in these positions they have reached the \$7,500 limit, and many of them have served in the Treasurer's office. You can not go out and get as efficient men for \$6,000 as you can for \$7,500 to come in and do this work.

Mr. BLACK of Texas. Well, unless the gentleman will agree to an amendment which will have the effect of putting these men in the initial grade of \$6,000, I shall have to object.

Mr. GREEN of Iowa. That would leave the matter just where it is now.

Mr. BYRNS. Mr. Chairman, I want to say that I am in thorough accord with the gentleman from Texas in his idea, speaking generally, and specifically in most cases, that the reclassification law should be observed. But I understood and so understand now that it is the proposal of the Treasury Department or the Board of Tax Appeals not to use these positions for the purpose of promotion, but to get new competent and efficient men to do this particular work. Now, the gentleman knows that this work is complicated; there are most important questions to be raised, technical and complicated in every way, involving millions of dollars in differences between the taxpayers and the Government, and it was my idea that if we could give the Board of Tax Appeals the right to go out and employ men and give the board a sum so that they can get competent men, the result would be the saving of millions of

dollars to the Government, and in addition the taxpayers would have their cases disposed of more promptly.

Mr. BLACK of Texas. That is no different plea than is made by other independent establishments of the Government. I recollect that it has not been more than one or two sessions of Congress since the Interstate Commerce Commission was arguing that very many of its employees were doing such technical work that they were leaving the Government work for higher pay, and that the commission was hindered in their employment, and they thought Congress should allow them to make certain appointments without regard to the reclassification act. We will be constantly confronted with that request if we make many exceptions. It may be proper for a legislative committee having jurisdiction of the subject matter to bring in a bill of the kind we are now discussing, but I submit that it is bad practice for an appropriation committee to put a provision in an appropriation bill of this sort, which in effect is whittling down the reclassification act.

Mr. GARNER of Texas. Will the gentleman yield?

Mr. BLACK of Texas. Certainly.

Mr. GARNER of Texas. Let me say in justification of the action of the Appropriations Committee that the Ways and Means Committee took this under consideration. I do not know that we had a formal session, but we went before the Appropriations Committee and urged the committee to give this Board of Tax Appeals all the money that they said they needed. I will tell the gentleman why. The Board of Tax Appeals is handling cases involving hundreds of millions of dollars in controversy between the Government and the taxpayers each year. Their business is increasing to the point where some estimate that next year there will be 20,000 cases before them and they will be three or four years behind. As one who helped to create the Board of Tax Appeals, I am anxious to have these cases determined at the earliest possible date so that the taxpayers may know what they owe the Government. I want the board to function, and the gentleman knows that they must have a high type of clerical aid.

For instance, the gentleman from Texas is judge of that court. He must write up four or five cases in a day. That is considerable when there is involved in each case intricate questions. He must hear the testimony and then he must write up that case. If he has an efficient clerk, one that has the mental capacity equal to himself, one who is diligent, they can divide the work. Then the case must be submitted to the entire board. I was anxious to give the board every opportunity to function efficiently, so when we make up the next tax bill we will be able to determine whether the board can transact the business or whether we will have to make some other provision. Let me say further that when we take the percentage of judgments rendered this is found to be the cheapest court ever created on the face of the earth.

Mr. BLACK of Texas. Mr. Chairman, I am not assailing the Board of Tax Appeals in any sense. I am sure that it is discharging the difficult duties imposed upon it by law with great efficiency.

Mr. GARNER of Texas. I know the gentleman is not.

Mr. BLACK of Texas. I simply take the position that the Interstate Commerce Commission would have just as good ground to come and make a plea of this kind as the Board of Tax Appeals; that the Federal Trade Commission would have just as good ground to come and make a plea of this kind as the Board of Tax Appeals. I take the position that the General Accounting Office, with its auditing of millions and millions of dollars, would have just as good ground to come and ask for the exception as the Board of Tax Appeals. I feel compelled to make the point of order. If the legislative committee wants to bring in legislation and the House desires to pass it, that is a matter that is up to the House. The rules of the House forbid legislation upon an appropriation bill, and hence I make the point of order.

The CHAIRMAN. The gentleman from Texas makes the point of order. Does the gentleman from Texas desire to discuss the point of order?

Mr. WOOD. Mr. Chairman, I call this to the observation of the gentleman from Texas. This is just as near as it can be possible for legislation to appear on an appropriation bill.

The CHAIRMAN. To which exact language does the gentleman from Texas make the point of order?

Mr. BLACK of Texas. To the language in lines 2 and 3, page 10, which reads as follows:

including 12 employees at rates of compensation to be fixed by the board, not in excess of \$7,500 each per annum.

If the Chair will hear me, I shall read a portion of section 910 of the revenue act of 1926.

The CHAIRMAN. The Chair is familiar with that and has it right before him. Does the gentleman from Indiana care to be heard upon the point of order?

Mr. WOOD. No. The Chair can rule.

The CHAIRMAN. The gentleman from Texas makes the point of order to the language in lines 2 and 3:

including 12 employees at rates of compensation to be fixed by the board, not in excess of \$7,500 each per annum.

Is that a correct statement of the point of order, the Chair will ask the gentleman from Texas?

Mr. BLACK of Texas. Yes; those two lines.

The CHAIRMAN. Section 910 of the law establishing the board reads as follows:

The board is authorized, in accordance with the civil service laws, to appoint, and in accordance with the classification act of 1923 to fix the compensation of such employees, and to make such expenditures, including expenditures for personal services and rent at the seat of government and elsewhere, and for law books, books of reference, periodicals, etc.

The ruling of the Chair might have been entirely different on the point of order as made by the gentleman from Texas [Mr. BLANTON], but as the Chair interprets the language in the bill, "personal services" are authorized by the basic law.

The Chair holds that it is in order to limit the number of employees in any department by withholding the appropriation. The language "compensation to be fixed by the board, not in excess of \$7,500 per annum," in the judgment of the Chair does not violate the law in any respect. Therefore the Chair overrules the point of order on that specific language.

Mr. BLACK of Texas. Then, Mr. Chairman, I make the point of order to all of the language included in the point of order made by my colleague from Texas [Mr. BLANTON].

The CHAIRMAN. The Chair will sustain the point of order to that without any argument.

Mr. WOOD. Mr. Chairman, upon that proposition I call the attention of the Chair to this fact, that the point of order made by the gentleman from Texas [Mr. BLANTON] included the words "personal services."

The CHAIRMAN. If the gentleman from Indiana will permit, the fact that it includes those words does not remedy the matter that is subject to the point of order. In other words, the matter that is objected to carries with it matter that is not subject to the point of order that is included within the language, in the opinion of the Chair.

Mr. WOOD. Let us understand just where we stand.

The CHAIRMAN. The gentleman from Texas made the point of order to the language beginning with "personal services," and going down to line 6, including the word "contract."

Mr. WOOD. Then if that point of order is sustained, it includes the language to which the Chair has just overruled the point of order.

The CHAIRMAN. It does.

Mr. HASTINGS. Mr. Chairman, if I may make a suggestion, I think the point of order of the gentleman from Texas comes too late.

The CHAIRMAN. The Chair overrules that point of order.

Mr. HASTINGS. He did not reserve it to the rest of it. He only made the point of order to lines 2 and 3.

The CHAIRMAN. The Chair overrules that point of order.

Mr. WOOD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. WOOD: Page 10, line 1, after the figures "1926," insert: "Personal services (including 12 employees at rates of compensation to be fixed by the board, not in excess of \$7,500 each per annum), stenographic reporting services."

Mr. BLACK of Texas. Mr. Chairman, to that I make the same point of order, and I ask the indulgence of the Chair to hear me on the point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. BLACK of Texas. I shall read for the purpose of the record a portion of section 910 of the revenue act of 1926, which regulates the expenditure and personnel of the Board of Tax Appeals.

The board is authorized in accordance with the civil service laws to appoint and in accordance with the classification act of 1923 to fix the compensation of such employees.

Now, how does the provision that the gentleman has offered undertake to fix the compensation of these employees? It says "personal services, including 12 employees, at a rate of compensation to be fixed by the board." That is what the language says. Would there be any limitation on it? This is a sub-

sequent act of Congress. Now, it may be that it will appear to the Chair at the first glance that such language would mean in harmony with section 910 of the revenue act of 1926. In that case it would mean that the board was to fix them in accordance with the reclassification act of 1923. Now, if I felt that was the intention of the language, that that was the way it would be construed, I would not make the point of order, because that is the way I want the salaries fixed.

The CHAIRMAN. Will the gentleman permit a question?

Mr. BLACK of Texas. I shall be very glad to do so.

The CHAIRMAN. Does the gentleman's amendment permit the board to violate the civil-service rules?

Mr. BLACK of Texas. No. These 12 employees would have to be appointed under civil-service rules, but the language used would permit the board to ignore the reclassification act of 1923 in fixing the compensation of such employees.

The CHAIRMAN. Will the gentleman permit another question?

Mr. BLACK of Texas. I shall be very glad to do so.

The CHAIRMAN. Does the limitation of \$7,500, if it were adopted, in any way change the law as to the reclassification act?

Mr. BLACK of Texas. Let me submit this to the Chair, and I believe the Chair will agree with me. If it were not for the limitation the Board of Tax Appeals could fix the compensation of these 12 employees at \$15,000 each, because the language expressly permits the board to fix the salaries of these employees. Now, if the Chair will observe other language carried as to other independent establishments he will find that invariably the language used is to fix the compensation "in accordance with the reclassification act of 1923." Now, when you come to use affirmative language in this bill, affirmatively to confer upon the board the power to fix these salaries, you have no limitation and would have none if this \$7,500 were not used. Now, if the Chair will permit, I am not making a point of order as to the limitation of \$7,500. I am stressing the language that permits the Board of Tax Appeals to fix the compensation. Under the present law the board must fix compensation in accordance with the reclassification act of 1923. But if this language is permitted all the limitation which will govern the board will be the limitation of \$7,500.

The CHAIRMAN. Will the gentleman yield for another question?

Mr. BLACK of Texas. I will be very glad to do so.

The CHAIRMAN. If this language should be adopted does the gentleman contend that the board in fixing the salaries can then ignore the law giving them the authority to fix the salaries?

Mr. BLACK of Texas. Yes. Can completely ignore the reclassification act of 1923 because you are permitting and authorizing the board by this very language to fix the compensation with the only limitation that they shall not exceed \$7,500. My contention is, if it were not for that limitation the board could fix the compensation of these 12 employees at \$15,000 or more. There is no need of the reclassification act if we ignore it in that way.

The CHAIRMAN. Unless some gentleman desires—

Mr. BLACK of Texas. If the Chair will permit another observation also. I think the Chair ought to consider in determining whether this is a question of legislation on an appropriation bill that under the reclassification act no employee can be appointed at an initial salary larger than \$6,000. They must all in this higher grade go in at the initial grade, which is \$6,000, and progress to \$7,500 by promotion, and yet under this language you are permitting all 12 of these employees to go in at \$7,500, if the board should so decide. Now, if that is not legislation affirmatively amending the reclassification act, then I do not understand the purpose of language.

MESSAGE FROM THE SENATE

The committee informally rose; and Mr. LEHLBACH took the chair as Speaker pro tempore, when a message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had passed the bill S. 4874 to legalize a bridge across the Fox River in Algonquin Township, McHenry County, Ill., and for other purposes, in which the concurrence of the House is requested.

INDEPENDENT OFFICES APPROPRIATION BILL

The committee resumed its sitting.

The CHAIRMAN. The Chair finds himself in a rather peculiar position and hopes that he is not the only occupant of the chair who has so found himself. A few moments ago a point of order was made to lines 2 and 3, and the Chair overruled the point of order. Now an amendment is offered, which, in addition to the language found in lines 2 and 3, includes the

words "stenographic reporting services." On further investigation the Chair has come to the conclusion that the revenue act of 1926 authorizes the board to appoint these employees under civil-service rules and fix their salaries only in accordance with the reclassification act.

When the Chair made his first ruling he took snap judgment, apparently, in holding that the language, "compensation to be fixed by the board," did not change existing law. But after careful consideration the Chair is compelled to reverse that ruling and hold that this does change the basic law, since apparently it permits the fixing of the salaries of these 12 employees without reference to the reclassification act. The Chair therefore sustains the point of order made against the amendment.

Mr. CHINDBLOM. Does the Chair overrule the point of order to the other language?

The CHAIRMAN. The point of order was made to the whole amendment. The Clerk will read.

The Clerk read as follows:

BUREAU OF EFFICIENCY

For chief of bureau and other personal services in the District of Columbia in accordance with the classification act of 1923; contingent expenses, including traveling expenses; per diem in lieu of subsistence; supplies, stationery; purchase and exchange of equipment; not to exceed \$100 for law books, books of reference, and periodicals; and not to exceed \$150 for street-car fare; in all, \$210,000, of which amount not to exceed \$205,540 may be expended for personal services in the District of Columbia.

For all printing and binding for the Bureau of Efficiency, \$350.

Mr. WATSON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. WATSON. A number of years ago there was opposition to the Bureau of Efficiency. I recall motions to discontinue this bureau. Now I notice that there is something like \$700,000 saved, in accordance with the statement of the chief of the bureau. Does that mean \$700,000 in one year?

Mr. WOOD. Yes, sir.

Mr. WATSON. Does he have the privilege, providing the appropriation is sufficient, for instance, to go to New York and there investigate the efficiency of the customhouse?

Mr. WOOD. Yes; I think he would. He has the authority to do it now under the law creating the Bureau of Efficiency.

Mr. WATSON. I notice the appropriation includes traveling expenses. Therefore the chief may investigate out of the city of Washington.

Mr. WOOD. Well, I know of some instances where he has gone out and inspected soldiers' homes and certain prisons, but I do not know whether he has ever had anything to do with the customhouses.

Mr. WATSON. The saving of the \$700,000 is caused by eliminating clerks in the departments?

Mr. WOOD. Yes; in the Treasurer's office it resulted in the reduction of 125.

Mr. WATSON. Then most of the money saved is by eliminating clerks?

Mr. WOOD. Yes; and in adopting new methods. They adopted new methods in the Bureau of Engraving and Printing as a result of the recommendations made by the Bureau of Efficiency.

Mr. WATSON. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The gentleman from Pennsylvania withdraws the pro forma amendment. The Clerk will read.

Mr. VINSON of Georgia. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record by inserting the remarks made by Judge Crisp in behalf of the Curtis bill.

The CHAIRMAN. The gentleman will have to refer that request in the House. The Clerk will read.

The Clerk read as follows:

CIVIL SERVICE COMMISSION

Salaries: For three commissioners at \$7,500 each per annum, and other personal services in the District of Columbia in accordance with the classification act of 1923, \$500,500.

Field force: For salaries of the field force, \$330,000.

Except for one person detailed for part-time duty in the district office at New York City, no details from any executive department or independent establishment in the District of Columbia or elsewhere to the commission's central office in Washington or to any of its district offices shall be made during the fiscal year ending June 30, 1928; but this shall not affect the making of details for service as members of boards of examiners outside the immediate offices of the

district secretaries. The Civil Service Commission shall have power in case of emergency to transfer or detail any of its employees herein provided for to or from its office or field force.

Mr. BLANTON. Mr. Chairman, I make a point of order, on page 11, beginning in line 20, to the following language:

The Civil Service Commission shall have power in case of emergency to transfer or detail any of its employees herein provided for to or from its office or field force—

By reason of the fact that that language is legislation unauthorized on an appropriation bill, and it is an attempt to change existing law. I call the Chair's attention to the fact that without this appropriation in the bill the Civil Service Commission does not now, under present law, have this authority.

Mr. CHINDBLOM. Does the gentleman from Indiana [Mr. Wood] care to be heard?

Mr. WOOD. I will ask the gentleman to reserve his point of order for a minute.

Mr. BLANTON. I will reserve it.

Mr. WOOD. I concede that the item is subject to a point of order. But as a matter of economy, if it does not obtain, the Civil Service Commission can keep a detail in New York all the time instead of, as now, a part of the time.

Mr. BLANTON. What has become of the committee presided over by our colleague from New Jersey [Mr. LEHLBACH]?

Mr. WOOD. He has had a grave affliction in his family.

Mr. BLANTON. He is an active chairman, and that is a very active committee.

Mr. WOOD. Could the gentleman from Texas give us any idea as to how long it would take to get this bill through the House if we devoted much time to these details?

Mr. BLANTON. It did not take the gentleman from Indiana [Mr. PURNELL] more than five minutes last Saturday to bring a \$10,000,000 bill in here and pass it in 10 minutes. This is an important matter, and while the gentleman has in mind one thing that the Civil Service Commission could do under this change of law, I have in mind a hundred things they could do. I make the point of order.

The CHAIRMAN. The point of order is well taken and is sustained.

Mr. WOOD. I would like the Clerk to report the language to which the point of order is made.

The CHAIRMAN. The Clerk will report the language referred to.

The Clerk read as follows:

Line 20, after the word "secretaries": "The Civil Service Commission shall have power in case of emergency to transfer or detail any of its employees herein provided for to or from its office or field force."

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

EMPLOYEES' COMPENSATION COMMISSION

Salaries: For three commissioners and other personal services in the District of Columbia in accordance with the classification act of 1923, including not to exceed \$1,000 for temporary experts and assistants in the District of Columbia and elsewhere, to be paid at a rate not exceeding \$8 per day, \$132,540.

Mr. McKEOWN. Mr. Chairman, this Employees' Compensation Commission has recently reached the conclusion that employees of the Government who contract tuberculosis from overwork, from exposure in the building, and the like, are not entitled to compensation. The doctors and physicians, they say, have found a new theory, and therefore there is no compensation for these employees.

Now, if they are going to take out the employee's tuberculosis on the theory that everybody has tuberculosis, and the only question is whether or not you develop it, then they ought to cut out a part of this appropriation, because you certainly do not want that discrimination to exist. They ought not to theorize about the contraction of disease unless they know what they are talking about.

Mr. WOOD. I will state to the gentleman that we made some inquiry with reference to this. Under the law as it now is they have the right to compensate for what are known as occupational diseases. What may or may not be an occupational disease is a matter of considerable speculation, but there are certain occupational diseases which are recognized; that is, a person may get lead poisoning from his occupation as a painter. That is one of the instances I recall. A person may or may not get tuberculosis from his occupation, and that is pretty remote.

Mr. McKEOWN. Does not the gentleman realize that the humane purpose of Congress in the legislation was to take care of an employee who contracted diseases while employed in line of duty? If you are going to eliminate tuberculosis on some person's theory, it seems to me you will be doing great injustice. The theory has always been, up to recent years, that tuberculosis could be contracted from the germs and association with persons afflicted with that disease, and that impression prevails yet. I do not think the physicians of this country have proven anything to the contrary, although they theorize about it. They say everybody has scars on their lungs and that when they get into a certain condition they develop tuberculosis. They may be correct about it, but the thing I am protesting against is this compensation commission denying compensation where it is shown that on account of overwork in certain departments out of Washington they have contracted this disease. Upon proper proof being supplied, I think this commission would be justified in assuming that they had contracted this disease under such circumstances and should be compensated.

Mr. WOOD. I think the gentleman's quarrel is with the doctors rather than with the commission.

Mr. McKEOWN. The doctors are merely advisory. I think they have done a great work so far as eliminating this disease is concerned, but I am calling the attention of Congress to the fact that I do not believe this commission is carrying out the purpose of Congress.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

FEDERAL POWER COMMISSION

For every expenditure requisite for and incident to the work of the Federal Power Commission as authorized by law, including traveling expenses; per diem in lieu of subsistence; and not exceeding \$500 for press-clipping service, law books, books of reference, and periodicals, \$28,500: *Provided*, That the annual estimates of the Federal Power Commission for the fiscal year 1929 shall include the salaries of all civilian employees whose service with the commission has become permanent through detail from any executive department.

Mr. BLANTON. Mr. Chairman, I reserve a point of order against the paragraph, and I desire to get some information from the chairman. With regard to this proviso, beginning in line 16, what authority in law has this Power Commission to detail men from executive departments and make them permanent in its employ?

Mr. WOOD. The act creating the Power Commission makes them permanent, but provides that they shall be detailed from the Department of Agriculture, the Interior Department, and the War Department. All of the permanent employees are detailed by these three departments; all of their time is devoted to this work and they do nothing whatever for the Agricultural Department, the War Department, or the Interior Department.

Mr. BLANTON. This Power Commission has certain employees in its employ?

Mr. WOOD. Just one. The secretary is the only one who is provided for in the organic act. Aside from the secretary, all of the other employees are from the departments I have mentioned.

Mr. BLANTON. They are detailed?

Mr. WOOD. Yes.

Mr. BLANTON. Certain of them are Army officers?

Mr. WOOD. Yes.

Mr. BLANTON. Unless we have this provision changing the law those Army officers now so employed can not become permanently situated there?

Mr. WOOD. That is true.

Mr. BLANTON. Because the Army regulations require them to be changed from time to time.

Mr. WOOD. Well, that possibly is true, but they would be supplanted by some one else.

Mr. BLANTON. Take, for instance, the Engineer Commissioner of the District, Colonel Bell. Unless we pass legislation within a very short time extending the time he may remain as commissioner he will cease to be a commissioner and will have to go back to War Department duties. In this proviso the committee is seeking to remove those general Army restrictions concerning certain employees.

Mr. WOOD. I will tell the gentleman the purpose of this proviso. The way the thing is now it does not present a true picture of these appropriations. The appropriation for those who are detailed from the War Department to this commission are paid out of appropriations under the Army bill.

Mr. BLANTON. Did the gentleman discuss this matter in committee and ascertain whether any abuses would come from it?

Mr. WOOD. If the gentleman will read the proviso he will find it is for the salaries of the civilian employees.

Mr. BLANTON. Did the gentleman's committee investigate the full effect of this provision?

Mr. WOOD. No; we did not investigate with reference to the thing which I think the gentleman has in mind.

Mr. BLANTON. Does the gentleman think this is a salutary provision?

Mr. WOOD. Yes; indeed, I do.

Mr. BLANTON. The provision is undoubtedly subject to a point of order, but it might be necessary as a safeguard. It might be good and it might be extremely salutary, and on that ground alone I withdraw the reservation.

The Clerk read as follows:

GEORGE WASHINGTON BICENTENNIAL COMMISSION

For all necessary expenditures by the United States Commission for the Celebration of the Two Hundredth Anniversary of the Birth of George Washington, including compensation of employees and expert advisers, traveling and other expenses of the commission, \$14,000, to be expended in its discretion: *Provided*, That the salary of the executive secretary shall be at such rate as may be fixed by the commission from the date of employment, notwithstanding the provisions of any other law.

Mr. BLANTON. Mr. Chairman, I make a point of order to the language beginning in line 19, page 19, reading as follows:

Provided, That the salary of the executive secretary shall be at such rate as may be fixed by the commission from the date of employment, notwithstanding the provisions of any other law—

upon the ground that it is legislation upon an appropriation bill unauthorized, and that it seeks to change existing law.

Mr. WOOD. Will the gentleman reserve his point of order?

Mr. BLANTON. Mr. Chairman, I have just learned that this affects one of our most delightful associates, one as delightful as any I have come in contact with during my entire service in Congress, and I withdraw my point of order.

Mr. BLAND. Mr. Chairman, I renew the point of order.

Mr. WOOD. I will state to the gentleman the purpose of this.

The CHAIRMAN. Does the gentleman from Virginia reserve the point of order?

Mr. BLAND. I reserve a point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Texas withdraws his point of order and the gentleman from Virginia reserves a point of order.

Mr. WOOD. I will state what this provision is for. The executive secretary, who has been chosen to perform this work and who is doing a wonderful amount of work, and who was selected because of his peculiar fitness, is Mr. William Tyler Page.

Mr. GARNER of Texas. Who is this fellow getting \$7,500 a year?

Mr. BLAND. What is the position of ex-Senator Sterling?

Mr. WOOD. He is the traveling or field secretary. He goes to the different States for the purpose of getting the States interested in making appropriations for this celebration.

Mr. GARNER of Texas. I did not know that there had been any program determined upon as to making appropriations by the States, the Federal Government, or otherwise.

Mr. WOOD. I did not know there was such a commission until two years ago, but it seems it was appointed a long time in advance and has been going on all this time. Mr. Sterling is the field secretary, at a salary of \$7,500 a year, as stated.

Mr. GARNER of Texas. Under the law and under the act passed by this Congress, who is to determine the number of employees, the salaries they are to receive, and who is the fellow that is doing the job?

Mr. WOOD. I will state to the gentleman that the law itself fixes that. The law provides that the commission, after selecting a chairman and a vice chairman from among its members, may employ a secretary and such other assistants as may be needed for clerical work or in connection with the duties of the commission, and may also engage the services of expert advisers and may fix their respective compensations within the amount appropriated for such purposes.

Mr. BLANTON. This language affects only one person, the Clerk of this House, Hon. William Tyler Page. He is the one who is involved in this language, and, that being true, I withdrew my point of order.

Mr. GARNER of Texas. I am not complaining particularly—I am not complaining at all, as a matter of fact, because I do not know anything about it—about the \$2,500, but

I would like to know with respect to this \$7,500 for somebody to be traveling over the country inducing States to make appropriations to carry out a program when I do not know anything about any program, although I happen to be a member of the commission. I see here the gentleman from Oregon [Mr. HAWLEY], who is a member; and I see here also the gentleman from Tennessee [Mr. BYRNS], who is also a member of the commission. I wonder if either one of those gentlemen knows anything about any program having been arranged, and whether they know that Mr. Sterling is traveling over the country to get the States to make appropriations for this celebration.

Mr. WOOD. I am informed by the executive secretary that the President, in a speech he is to deliver on Washington's Birthday, will probably give the country some idea of the program. Of course, if the celebration is to be held, it is of sufficient importance for the Nation to take part in it.

Mr. GARNER of Texas. That may be; but I should think that this commission, before it undertook to send a man all over the country for the purpose of creating agitation for legislation by the various States, would at least outline exactly what program the commission intends to adopt in celebrating the event. I have tried to attend every meeting that has ever been suggested, and so far as I know at the present time there has been no program adopted. I will ask the gentleman from Tennessee [Mr. BYRNS] and the gentleman from Oregon [Mr. HAWLEY], who are here and who are members of the commission, if they know anything about any program. The gentleman from Oregon [Mr. HAWLEY] shakes his head and says he does not know about it.

Mr. BYRNS. Mr. Chairman, I want to make this statement, and it is made subject to correction by the gentleman from Texas [Mr. GARNER] and the gentleman from Oregon [Mr. HAWLEY] if I am mistaken. My recollection is that at one meeting of the commission a resolution was passed authorizing the chairman, Senator Fess of Ohio, to appoint the personnel or to name those who were necessary to carry on the work.

Mr. HAWLEY. Yes; that is true.

Mr. BYRNS. I was perfectly aware that the executive secretary was performing services, and there is no objection, so far as his salary is concerned, that I know of.

Mr. HAWLEY. He was elected by the commission.

Mr. BYRNS. The gentleman from Oregon corrects me and reminds me that Mr. Page was elected by the commission.

Mr. GARNER of Texas. That is all right.

Mr. BYRNS. I want to say that like the gentleman from Texas, I was not aware of the fact there were any other employees.

Mr. GARNER of Texas. Here is the principal point about it, as I see it. As I understand, here is a man employed at \$7,500 a year to travel over the country and to induce legislatures to pass laws to help celebrate this event which is referred to in this provision. I know nothing about any program having for its purpose the inducement of legislatures of the various States to pass laws until a program is arranged, and that is what I am complaining about more than anything else.

Mr. BLACK of Texas. Will the gentleman yield for this statement? The commission has only spent for clerical services \$65.50, but has spent for a field secretary \$12,937.50, and proposes to spend for an executive secretary \$4,000, although their work has only required clerical assistance amounting to \$65.50.

Mr. GARNER of Texas. Yes, I want to say to the House that I recall my appointment on this commission, and I do not think it is any secret to say that the appointing power had in mind at the time the appointments were made in the House of Representatives the idea that we would take care of the Federal Treasury. The appointment was made by Speaker GILLET, and I repeat it is no secret that he undertook to select from the membership of this House men, so I was told, who would take care of the Treasury of the United States. I do not think we are taking care of it in this instance.

Mr. WOOD. Why does not the gentleman get the commission together?

Mr. GARNER of Texas. I am not the chairman of it. I am a humble member of it, and from what the gentleman says it does not seem that the President of the United States needs the advice of the gentleman from Texas or any other Member of the House of Representatives who is a member of this commission. He is apparently already going along with the program that he has framed for himself or his assistant, Senator Fess, has arranged, and is sending people over the country to create agitation in favor of that particular program. I know nothing about that program myself.

Mr. BLAND. Mr. Chairman, as I understand, this applies only to Mr. Page and I will withdraw the point of order.

The Clerk read as follows:

Miscellaneous expenses account of property sold: To pay taxes, special assessments, and other utility, municipal, State, and county charges or assessments unpaid by purchasers and which have been assessed against property in which the United States Housing Corporation has an interest, and to defray expenses incident to foreclosing mortgages, conducting sales under deeds of trust, or reacquiring title or possession of real property under default proceeding, including attorney fees, witness fees, court costs, charges, and other miscellaneous expenses, \$5,000: *Provided*, That the United States Housing Corporation is hereby authorized to allow as an offset any equitable claim in any collection made against any State or any political subdivision thereof.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. When are we going to do away with this Housing Corporation?

Mr. WOOD. The gentleman means with reference to the Government hotels?

Mr. BLANTON. The Government hotels and with reference to the Housing Corporation itself.

Mr. WOOD. The Housing Corporation is winding up its business in remarkably good order.

Mr. BLANTON. When we created the Housing Corporation we were promised that it was a war matter, that it would function only as long as the war lasted, and it would be dispensed with immediately after.

Mr. WOOD. During the war the Housing Corporation purchased property from the Atlantic to the Pacific, all over the United States. It built railroads, it built suburban roads, it built street railroads, it built houses, and it built whole towns. It is the duty of this housing corporation to sell the property and the gentleman must realize that it is a slow process, but they are making remarkably good progress.

Mr. BLANTON. Can the gentleman say that it will be wound up and concluded by the time the next supply bill is considered?

Mr. WOOD. No; I would not say that.

Mr. BLANTON. Well, we are going out of the hotel business.

Mr. WOOD. I hope so eventually.

Mr. BLANTON. Does eventually mean now or when?

Mr. WOOD. It means when. [Laughter.] I do not know when it will be; it can not come until some provision is made to take care of the boarders down there. There are about 1,300 girls boarding at these hotels.

Mr. BLANTON. We have made arrangements to buy that property recently.

Mr. WOOD. Yes.

Mr. BLANTON. Did we buy it for hotel purposes?

Mr. WOOD. No; for ornamental purposes, and I expect by the time we get rid of the old brick shacks down there we will get rid of these hotels.

Mr. BLANTON. I hope the gentleman will take steps to obliterate the Housing Corporation, too.

Mr. WOOD. We can not do it except by legislation and that would be out of order on this bill. [Laughter.]

The Clerk read as follows:

Miscellaneous expenses account of property sold: To pay taxes, special assessments, and other utility, municipal, State, and county charges or assessments unpaid by purchasers and which have been assessed against property in which the United States Housing Corporation has an interest, and to defray expenses incident to foreclosing mortgages, conducting sales under deeds of trust, or reacquiring title or possession of real property under default proceeding, including attorney fees, witness fees, court costs, charges, and other miscellaneous expenses, \$5,000: *Provided*, That the United States Housing Corporation is hereby authorized to allow as an offset any equitable claim in any collection made against any State or any political subdivision thereof.

Mr. BLANTON. Mr. Chairman, I make the point of order on the language beginning line 2, on page 22, as follows:

Provided, That the United States Housing Corporation is hereby authorized to allow as an offset any equitable claim in any collection made against any State or any political subdivision thereof.

I make the point of order for the reason that it is legislation unauthorized on an appropriation bill and is a change in existing law.

Mr. WOOD. Will the gentleman reserve his point of order?

Mr. BLANTON. I will do so.

Mr. WOOD. This provision has been carried in the bill ever since the Housing Corporation was created. Under this pro-

vision where they have claims against the corporation and the corporation has claims against them, instead of going to law and having a lawsuit over it they can offset one claim against the other and thus save litigation.

Mr. BLANTON. Because it has been carried before in an appropriation bill does not take away from it its legislative character. I do not think the officers of the Housing Corporation are qualified to pass upon so-called equity claims that many States and communities make against the Government involving large amounts. They are not familiar with such matters and I do not think we ought to put in their hands the power to settle equitable claims. I insist on the point of order.

Mr. WOOD. Let me call the gentleman's attention to the fact that by reason of the authority exercised under this provision, Mr. Watson, head of the Housing Corporation, has saved the Government a whole lot of money.

Mr. BLANTON. It may be that I have done something that the gentleman from Indiana has not done. I have inspected every piece of property in this city that has been controlled by the Housing Corporation, and I have been shocked at the manner in which they have handled the Government business. If the gentleman had gone with me he would have felt like I do.

Mr. WOOD. I am glad I did not, I get shocked enough anyway. [Laughter.]

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

For all printing and binding for the Interstate Commerce Commission, including not to exceed \$10,000 to print and furnish to the States at cost report-form blanks, and the receipts therefrom shall be credited to this appropriation, \$175,000, of which \$15,000 shall be immediately available: *Provided*, That no part of this sum shall be expended for printing the Schedule of Sailings required by section 25 of the interstate commerce act.

Mr. WHITE of Kansas. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. WHITE of Kansas: On page 26, line 8, after the word "including" insert "reports in all cases proposing general changes in transportation rates and," and in line 10, strike out the word "therefrom" and insert "from such reports and blanks."

Mr. WOOD. Mr. Chairman, I reserve the point of order upon the amendment.

Mr. WHITE of Kansas. Mr. Chairman, I think it is clearly not subject to the point of order, but I thank the gentleman for reserving it. My purpose in offering this amendment I shall try to explain to the committee as briefly as possible. The Interstate Commerce Commission as a rule have these reports printed. They are available only to an extent. The amendment does not cover the printing of reports carrying orders of the commission in cases affecting rates between points that may not be of general interest or have a general application to freight rates. But in a great many instances the report which the commission now prints to a limited extent are very desirable for chambers of commerce, for the secretaries of the utility commissions of the different States, for shipping associations, and shippers generally. They are not sufficiently available. I do not understand that this proposed amendment imposes any additional duty or activity upon the commission above that which is now exercised by it under the law, but I call the attention of the committee to a situation occurring here a year or two ago. It grew out of the reorganization of the freight-rate structure of the country. It will be remembered, without giving the exact dates, and I have not them available, that immediately after the passage of the transportation act returning the transportation companies to their owners, the Interstate Commerce Commission reported an order *ex parte* advancing the rates of the country by 35 per cent. A little while after that, within a few months, application was made to decrease the rates on hay, wheat, and coarse grains; and an order was issued in compliance with that application, the reduction made being about 50 per cent of the 35 per cent increase. It was contended at that time that the reduction was to bring those articles of traffic into proper relation with the general traffic rates of the country. It was found that the rate on hay in the western sections of the country was absolutely confiscatory. It was unreasonable; it was unjust and out of line with the rates on general traffic.

Subsequent to that time a general order was issued, and the only general order of its kind since one general increase of 35 per cent, making a decrease of 10 per cent on the traffic which was generally effective throughout the country; but in that order wheat, coarse grains, and hay were excepted. Then

came the petitioners from the State of Kansas and from many other States asking the commission to make this order or an equivalent decrease applicable to those articles of commerce. That petition was denied. I am not speaking about the merits of any one of those orders, but I am speaking about this proposition, namely the necessity for the adoption of this amendment. That application or petition was a long drawn out case, lasting more than a year from the time it was first filed until the report of the commission was promulgated. I had many requests for that report. They came from boards of trade, from chambers of commerce, and from many other sources including shipping associations and the like. They were not available. This amendment does not preclude the commission from printing the same number of reports which they have under the law the right to print, and which right they have exercised from time to time. This amendment is not imperative, so far as the duties of the commission are concerned, but these reports are not and have not been available. Many reports from the commission of changes in freight rates, their orders on applications for changes, are printed and are available, but they are not important to the general public, and my proposed amendment does not cover that question at all.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. WHITE of Kansas. Yes.

Mr. BLANTON. The gentleman's amendment is in the interest of the shippers of the country.

Mr. WHITE of Kansas. Yes; of the shippers of the country and of the dealers generally.

Mr. BLANTON. Apropos of the point of order which the chairman of the committee has reserved against the gentleman's amendment, I ask the gentleman if he does not believe, inasmuch as this committee had seen fit to put piece of legislation after piece of legislation in this bill themselves, that they ought to be willing in the interest of the shippers of the country to permit the gentleman from Kansas to get by with this one little piece of legislation?

Mr. WHITE of Kansas. I am not so much interested in that question, although there is logic in the suggestion; but I shall argue that the point of order is not well taken. I contend that the amendment is not subject to the point of order; that it is not legislation on an appropriation bill.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. WHITE of Kansas. Yes.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. WHITE of Kansas. Yes.

Mr. NEWTON of Minnesota. As I understand it, this appropriation covers the printing of the commission, the principal part of which are the reports of the decisions. Of course they are made available to the public generally, I do not know under just what terms, but the volumes are sold, and you can get the loose-leaf decisions.

Mr. WHITE of Kansas. Yes. Sometimes, but not always.

Mr. NEWTON of Minnesota. The amount provided for here does not seem to me to be enough to do the present work that the commission must do if it is going to function at all; and if I understand the gentleman's amendment, it would mean still further printing, and it would entail a further charge upon the revenues, which are the same in this bill as they are for the current year.

Mr. WHITE of Kansas. I shall try to answer the gentleman. I took this matter up with Mr. Esch, a member of the commission and formerly a Member of the House. Mr. Esch does not believe that it would require a large sum in addition, if any. Knowing the magic influence of the chairman of the subcommittee if any proposition is made to increase an appropriation, I did not include in the amendment any proposal to increase the appropriation.

I doubt if it would require a very large sum, possibly not more than a thousand dollars, nor would it preclude, as I think I may have stated, the right of the commission, now exercised by them under the law, to print the same number of these reports that may have been printed heretofore, but they are placed under the provision that the proceeds from the sales of these reports shall be credited to their printing fund. Now, this is a kind of a reimbursible fund, a kind of turnover fund, and I can not believe it will require much addition to the appropriation, possibly a thousand dollars. I will be glad to vote for it, but I am making this point—that the printing of these reports, while not imperative, yet if they may be made available it is the best source of information through which interested persons, the patrons of the transportation companies, may become familiar with the facts and the law in each case.

No one has time to go through the attorneys' briefs, either for the petitioner or for the respondent. Now, newspaper reports of the situation are interested statements. Gentlemen realize that. Here you have the unprejudiced, straightforward statement of facts, and the law involved. I think it is more desirable, as much so at least as any proposition which would cost as little as this would in order that the public have access to them.

Mr. NEWTON of Minnesota. If I understand the gentleman correctly, the commission is to-day printing the very thing to which the gentleman refers?

Mr. WHITE of Kansas. In a limited number.

Mr. NEWTON of Minnesota. In a limited number. So, when the gentleman's constituents wanted copies thereof and wanted to pay for them, they were not available.

Mr. WHITE of Kansas. The gentleman is right. They could not get them. They have tried to secure these reports.

Mr. NEWTON of Minnesota. I suggested that.

Mr. WHITE of Kansas. Yes; they have printed a limited amount.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WHITE of Kansas. I ask for two additional minutes.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to proceed for two additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. WHITE of Kansas. I have tried to make clear to the members of the committee the importance of the publication of these reports to the shipping interests of this country that the shippers may have the law and the facts in a clear, dispassionate, brief, straightforward manner in which they are stated by the commission; and these reports also contain the dissenting opinions of members of the commission sitting to hear these questions, as well as the orders of the commission. This is all of great interest to the shippers.

Mr. NEWTON of Minnesota. Now, does not the gentleman's whole trouble grow out of an inadequate appropriation so that the commission can only send a limited quantity of decisions?

Mr. WHITE of Kansas. Well—

Mr. NEWTON of Minnesota. And if we do not allow more money for it, even if we had some legislation, the gentleman would not have his remedy.

Mr. WHITE of Kansas. I think the gentleman is entirely mistaken, but I am of the opinion that the adoption of this will serve the purpose of calling to the attention of the Interstate Commerce Commission the great necessity, and I have tried to state it, as we Methodists say, in my weak way and manner, to this House, and I am sure it will involve the expenditure of no more money. This is a turnover fund, and it will not require a large number of reports, and I hope it will be adopted.

Mr. HOCH. Will the gentleman yield?

Mr. WHITE of Kansas. I will.

Mr. HOCH. I am not certain whether the gentleman refers to decisions of the commission, or whether he refers to the briefs which were filed by the parties to the case.

Mr. WHITE of Kansas. Not at all to the briefs—to the orders only.

Mr. HOCH. To which does the gentleman refer, simply the decisions of the commission or the briefs which are filed?

Mr. WHITE of Kansas. It did not refer to briefs. I differentiate and mean the reports often referred to as orders of the commission.

Mr. HOCH. Orders of the commission?

Mr. WHITE of Kansas. They contain frequently a very brief syllabus or summary of the briefs of the attorneys.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WOOD. Mr. Chairman, I am loath either to object or raise the point of order, but I can not for the life of me understand exactly what this amendment is. Upon its face it is for the purpose of furnishing different reports of different cases in rates; and if so, it is subject to the point of order, because it changes existing law. Now, the interstate commerce act itself provided that the information asked for in this amendment shall be furnished by the railroad companies. Section 7890 of Barnes says:

Every carrier, subject to the provisions of this act, shall file with the commission created by this act a printed copy, open for public inspection, of the schedules showing all rates, fares, charges, and changes of rates of transportation between different points on its own roads and between points, etc.

So if the information asked for by this amendment is adopted, it takes away from the railroads the duty that is now imposed on them by the statute and imposes it upon the Interstate Commerce Commission.

Mr. WHITE of Kansas. Mr. Chairman, clearly the statute cited by the gentleman from Indiana [Mr. Wood], the chairman of the subcommittee, does not run to this case at all. The practice of filing the schedules of rates is not involved in this discussion in any way, nor does the amendment create a new activity in the Interstate Commerce Commission. It does not preclude the commission from doing exactly what it has been doing throughout its existence. It has nothing to do with schedules of rates. This amendment has only to do with orders changing rates on petition after hearings have been had. There is nothing in the proposed amendment that remotely has anything to do with the filing of schedules of rates or affecting that question in any way. The filing of rate schedules is not the function of the commission but of transportation companies. Clearly the point of order should be overruled.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Kansas seeks to amend the paragraph referring to the printing and binding appropriation, and in the opinion of the Chair the amendment seeks only to appropriate for the printing of certain reports. It does not relieve any other agency of its responsibility to print such reports. While the question has not been raised, the Chair believes it would perhaps make the ruling a little more intelligible if he were to say that the Chair is holding the latter portion of the amendment in order because that portion of the paragraph to which it is offered is not in order. It is a well-established rule that if a paragraph is not in order and no point is raised against it, a germane amendment to the paragraph is in order. The point of order is overruled.

Mr. NEWTON of Minnesota. Mr. Chairman, I wish to say to the committee, and to the gentleman from Kansas in particular, that I am opposing this amendment not because I have any desire to restrict the widest distribution of the decisions of the commission but because I have been unable to figure out from my knowledge of the law and from the gentleman's statement that there is any occasion for legislation of this character.

Now, if I understand the gentleman's position, it is this: The Interstate Commerce Commission renders decisions from time to time. Some of them are general investigations or hearings with the view of a general rate level increase or decrease. Others are upon specific complaints pertaining to specific rates. His contention is that there are not available to the public a sufficient number of printed copies of the decisions of the commission on these general rate level increases or decreases so as to satisfy the demand for them. Am I stating the gentleman's position correctly?

Mr. WHITE of Kansas. In a sense the gentleman is stating my position correctly; but the gentleman overlooks one point which I do not want to see overlooked.

Mr. NEWTON of Minnesota. I am trying to approach this question from the standpoint of the gentleman. I want to help him. That is my understanding. Now, if that is what the gentleman desires, it seems to me that under the law and under the practice the Interstate Commerce Commission does print its decisions on all these general rate increases or decreases, and that they are available to the public who are willing to pay for them just as long as the supply is available.

Mr. WHITE of Kansas. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. WHITE of Kansas. The gentleman has stated, possibly more clearly than I was able to state, the very vital consideration involved in this matter. He has stated just exactly what the trouble with the situation is, that they are not available, and that the amendment will have the effect to make them available through the Public Printer, and the funds appropriated here will be reimbursable to the extent that they are purchased.

Mr. NEWTON of Minnesota. No; I do not think that the gentleman's amendment reaches that proposition at all.

Mr. WHITE of Kansas. There is no question about it.

Mr. NEWTON of Minnesota. I do not see how it can reach it. It may be that I am wrong, but I do not think this amendment changes the law or the duty of the commission in any respect.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Minnesota. In just a moment. Here is the way it would read with the gentleman's amendment: "For all printing and binding for the Interstate Commerce Commission, including all cases proposing general changes in transportation rates." That last phrase, commencing with "including," is that of the gentleman. It is the duty of the commission to-day to print those reports and make them available. The gentleman does not make any different provision from what the law now is. His further amendment is, "not to

exceed \$10,000 to print and furnish to the States, at cost, report-form blanks, and the receipts" from such reports and blanks. I do not see that the gentleman changes in any practical way the provision that has been used heretofore. The only way I think his proposition can be met is to increase the funds available to the commission. That is the way it seems to me.

Mr. BLANTON. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Texas moves to strike out the last two words.

Mr. BLANTON. I am not surprised that our distinguished lawyer friend from Minnesota [Mr. NEWTON] should oppose this farmers' and shippers' amendment that is now proposed by our friend from Kansas [Mr. WHITE]. When we had the Parker bill on the floor of the House our friend from Minnesota was the skillful, expert engineer who railroaded through this House that iniquitous piece of legislation that shut the door in the face of every shipper and every farmer in America and deprived them of what little rights they had and hopes of a decrease in high freight rates. All on earth that my friend from Kansas seeks to do by this little, insignificant amendment is to give notice to the shippers that there is to be a general change in freight rates, so that they can have notice of it, and he says now he can not get notice from the Interstate Commerce Commission to them when they want it.

Mr. NEWTON of Minnesota. That is not what the gentleman from Kansas said on the floor, either in his own time or in his colloquy with me. He has been talking about decisions. The gentleman from Texas is talking about notices.

Mr. BLANTON. That is exactly what his amendment says, and that is what he is seeking to secure by his amendment.

Mr. NEWTON of Minnesota. The gentleman ought not to misstate the gentleman's amendment. The gentleman's amendment does not refer to notices. It is to reports.

Mr. BLANTON. What on earth is the report except notice to the country? The Interstate Commerce Commission issues a report, and when it does that it is notice to the world, to the shipping interests. I called the gentleman's attention to the fact that when he was railroaded that Parker bill through the House, I told him what would happen, and just what was predicted has happened under it. This new board that was created under it has just recently, under a threat of strike by a great number of northeastern railroad employees, granted a tremendous increase, running up into the millions of dollars in wages, which will be reflected in corresponding increases in freight rates.

Mr. CARSS. Will the gentleman yield?

Mr. BLANTON. Certainly.

Mr. CARSS. Please tell the House how many men were affected.

Mr. BLANTON. I yield to my friend to tell them. How many men were affected?

Mr. CARSS. The gentleman evidently lacks information on that subject?

Mr. BLANTON. How many men were affected? I yield to my distinguished railroad friend from Minnesota.

Mr. CARSS. I just wanted some information.

Mr. BLANTON. If the gentleman will give me the number, I will put the number in the RECORD.

Mr. PARKER. Will the gentleman give way?

Mr. BLANTON. Following the language of our War Department friend from New York [Mr. WAINWRIGHT], I give way.

Mr. PARKER. Does the gentleman think it would have been better to have had a strike?

Mr. BLANTON. No; not better for the men or the country. But it would have been better for the shippers on those railroads, for those increases ought not to have been granted because it will be exemplified in increased freight rates.

Mr. PARKER. Then the gentleman believes the wages should have been reduced?

Mr. BLANTON. If necessary to grant relief to the farmers of Kansas and Texas and elsewhere in the United States, yes; because they must have some relief. They ship their products to market now, and they can not get enough in the markets of the country a great many times to pay the freight rates.

Mr. PARKER. Will the gentleman yield further?

Mr. CARSS. Will the gentleman yield?

Mr. BLANTON. I first want to get rid of this assistant secretary to the gentleman from Minnesota on this Parker bill.

Mr. PARKER. The bill happened to be mine.

Mr. BLANTON. I know, but it was railroaded through this House in conjunction with the help of the gentleman from Minnesota [Mr. NEWTON].

Mr. PARKER. The House voted for it almost unanimously.

Mr. BLANTON. Yes; and some of these days the House will wake up on what will be the full effect of that Parker bill, and it has awakened already.

The CHAIRMAN. The time of the gentleman from Texas has expired. The question is on agreeing to the amendment offered by the gentleman from Kansas.

Mr. WEFALD. Mr. Chairman, may we have the amendment again reported?

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The Clerk again read the amendment.

The question was taken; and on a division (demanded by Mr. WHITE of Kansas) there were—ayes 29, noes 26.

So the amendment was agreed to.

The Clerk read as follows:

Not to exceed \$5,000 of the appropriations herein made for the Interstate Commerce Commission shall be available for expenses, except membership fees, for attendance at meetings concerned with the work of the commission.

Mr. NEWTON of Minnesota. Mr. Chairman, I move to strike out the last word. I do so to take occasion, just as we have concluded considering the appropriation for the Interstate Commerce Commission, to call attention to a recent development in reference to the valuation work that is going on under the direction of the commission. The committee will recall that in 1913 Congress placed upon the commission the duty of finding the physical value of the railroads of the country. That work was undertaken at that time and has continued from 1913 up to the present time. The expense has been approximately \$30,000,000, and the railroads have spent at least twice and possibly more than that sum of money. The work will be completed, probably, in the course of about two years' time if the committee appropriates substantially the same sum of money yearly that has been provided in this bill.

Under the valuation act the commission is required to find various elements of value, including (1) original cost, (2) cost of reproduction new less depreciation, together with an analysis of the methods by which they arrived at these values.

At the time the act was passed we were on a fairly stable price level. Since then there has been a general and material advance in prices throughout the country. As a result any valuation based upon the cost of reproduction less depreciation will be much greater by reason of this general price-level advance.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. LAGUARDIA. Does the act provide that they shall be revalued on that formula?

Mr. NEWTON of Minnesota. The law requires them to find the cost of reproduction new less depreciation. The commission is ascertaining the value as of June 30, 1914.

Now, the commission must first find a tentative value of these roads. This work has been going on and a large number of tentative values have been found. They have arrived at the point where they have ascertained the final valuation of one of the railroads; that is a road known as the Los Angeles & Salt Lake road. They have valued that road on a reproduction basis at about \$45,000,000.

Mr. LAGUARDIA. What is its capital stock?

Mr. NEWTON of Minnesota. I do not know. The company has taken exception to the final valuation as found by the Interstate Commerce Commission. Other railroads have joined in contesting the final valuation. They have taken it into the courts on the ground that the commission has not found the value they were charged to find under the law. I think the company claims a value of about \$80,000,000. The commission has found the value for rate-making purposes, because the law was passed with the idea of finding the value for that purpose. Since that time the interstate commerce act has been amended.

The commission is given jurisdiction over consolidations, the issuance of stocks and bonds, and the question of value may well be different for those purposes than for mere rate regulating purposes. At least, some courts have held—the United States Supreme Court has—that a franchise can not be included as an element of value for rate-making purposes. It would seem as if it should be included in a consolidation case. The commission will, of course, make use of all of its valuation statistics in exercising any of its powers, but the primary purpose of the valuation act was to find value for rate-making purposes. That is manifest both from debates and reports.

The railroads contest the final valuation on the ground that the commission erred in the method used for ascertaining value.

The district court, consisting of three judges, found in favor of the contentions of the railroad. The Government and the Interstate Commerce Commission appealed. The case was submitted to the Supreme Court of the United States a week ago Monday, when oral arguments were made by Judge Hughes, together with other eminent counsel on behalf of the railroads.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. NEWTON of Minnesota. Mr. Chairman, may I have two additional minutes?

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to proceed for two additional minutes. Is there objection?

There was no objection.

Mr. NEWTON of Minnesota. The Government was represented by the Attorney General's office and the chief counsel of the Interstate Commerce Commission.

Mr. LAGUARDIA. Judge Hughes was confronted with some of his own decisions, I understand?

Mr. NEWTON of Minnesota. That is correct. Here is the significance of this case and my excuse for bringing it to the attention of the House: If the claims of the railroad in this case are substantially sustained, the cost of reproduction less depreciation of all the railroads will be greatly increased. In fact, the figure will be almost double the estimate at which the Interstate Commerce Commission valued the railroads as a basis for the rates put into effect in 1920. While this does not mean that future rates will be based solely on cost of reproduction new less depreciation, for the court has held that that is only one element of several to be considered, it does mean the value by this method will be greatly raised and possibly the importance of cost of reproduction as an element greatly emphasized.

If, however, the contentions of some of the carriers are correct and cost of reproduction should be taken as the principal, if not sole, value for rate purposes, the occasion for governmental regulation to insure just and reasonable rates would practically end.

For if this should become the law the carriers would be entitled to a fair return on this greatly increased valuation. If they increased rates to the full extent, they would place the rates so high as to seriously decrease traffic and their own revenues. However, if the commission should step in and make a less rate than this maximum, it would be less than a fair return and confiscatory. Therefore the old rule of "what the traffic could bear" would be for practical purposes the sole regulator. I can not conceive of these extreme contentions being ultimately sustained. But the question is in the courts and it is so important that I felt that the pendency of one phase of this very important proposition before the Supreme Court of the United States merited my calling it to the attention of the House and the country. [Applause.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

PUBLIC BUILDINGS AND PUBLIC PARKS OF THE NATIONAL CAPITAL

For personal services in the District of Columbia in accordance with the classification act of 1923, \$1,694,000, including not to exceed \$25,000 for intermittent and seasonal employees at per diem rates of compensation to be fixed by the director.

Mr. BLANTON. Mr. Chairman, I move to strike out the paragraph. You have in the District of Columbia, gentlemen, a Metropolitan police force. It is the police force of this District. It embraces between 1,200 and 1,300 men who are trained policemen.

You have in the White House a separate White House police force of 35 men. At one time I was not in favor of having this separate force, but I am now in favor of it. I think it is a special protection and safeguard for the President of the United States because these men are under his direct supervision. But there is another unneeded police force here selfishly controlled by two organizations. It is called a park police force and it is under this Superintendent of Public Buildings and Grounds, who is an Army officer, if you please, Colonel Grant, and his policemen, sixty-odd of them, have no connection whatever with the Metropolitan force. They have no connection with the White House force. They are an Army and Navy police force and they are in charge of every single public park and public building in this city and of every thoroughfare that runs by a park, and are additional to the army of guards in the buildings, and are used for the selfish personal interest and benefit of every Army officer and every naval officer in this city.

I want to ask you if there is any necessity for two traffic departments for this one city. You have a traffic department

in charge of the three commissioners and under the direction of the director of traffic, Mr. Eldridge. When they promulgate regulations and rules concerning traffic in this city, forsooth, their regulations and rules have to stop whenever they come to a public building or whenever they come to a public park, for concerning them Colonel Grant must initiate separate rules and regulations. You have duplicated effort and you have conflict of authority between these two forces.

Why, the other night when the President had his diplomatic reception, you found a bunch of Metropolitan police down there on certain streets around the White House and you found Captain Parsons, an Army officer, with his 61 park policemen, out there around the White House and every time a Metropolitan policeman would come near any part of those grounds the park policeman would say, "Get back; you are out of your jurisdiction. We are in charge here."

Mr. TREADWAY. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. TREADWAY. Is there not still another police force employed by the Union Depot authorities to protect the taxicab business down there?

Mr. BLANTON. Yes; there is another separate police force at the Union Depot maintained by the railroads that will not let you enter certain driveways there although you are a Congressman.

There is another police force down here in Washington, although under the jurisdiction of the Metropolitan force, at every car-line intersection, paid for by the street-car companies here, to see that the street cars have open thoroughfare up and down those streets in spite of the traffic. They are paid by the street-car companies.

Mr. TREADWAY. The ones I refer to are paid by the Union Station Co. to keep you and me out of there, are they not?

Mr. BLANTON. Yes; but I am inveighing now only as to this unnecessary park police force.

I have a measure to consolidate the park police with the Metropolitan police that I am going to push before this Congress, and I want your help.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to proceed for three more minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BLANTON. I want your help to get passed, before we adjourn, a measure that will consolidate the park police with the Metropolitan police. I do not want to interfere with the White House police. The President is entitled to have them. I am glad he has them. I think they are necessary, but I want to say that there ought to be only one traffic department and there ought to be only one police force in charge of the streets of Washington, and I want you to help me consolidate them.

Let me mention another thing before I close. This city ought to belong to all the people and not to Army officers and Navy officers. I wish our friend the gentleman from Massachusetts [Mr. TREADWAY] would take enough of your time to tell you what he knows about these matters. We have a great, big segregated area in this city this side of the Potomac set apart for polo games during a few months in the year for Army and Navy officers. I want the gentleman from Massachusetts to tell you about that. You might think I am a little prejudiced, but you would not think that anybody way up in cold-blooded Massachusetts would be so prejudiced. I want him to tell you about that and believing he will do so, I will not take up further time, Mr. Chairman.

Mr. TREADWAY. Mr. Chairman, I rise in opposition to the gentleman's pro forma amendment. I do not know why the gentleman from Texas has picked on me in referring to the polo field in Potomac Park. I am not a polo player. I do not know anything about it. That is an aristocrat's game and I am just a backwoods countryman. We do not play polo up in my country, but we do play golf, and it is now getting so that golf is played everywhere. There are more people enjoying the game of golf to-day than perhaps any other athletic game or sport. Ten years ago it was rated as more or less of an effeminate game. For instance, I am certain that now there are more Members of Congress playing golf than any other sport. I think this is universally true.

Mr. WEFALD. Is that the reason that so few are on the floor?

Mr. TREADWAY. No; this is not good golfing weather. In reference to the plot of ground that the gentleman refers to, I never travel around Potomac Park that I am not dis-

gusted with the fact that such a large area is reserved for a few Army and Navy men and their friends for a few hot days in the summer afternoons. There are thousands of people in the District who have not the facilities for outdoor recreation by playing golf, and there are acres of ground there reserved for polo players for the Army and Navy and their friends who can afford to own polo ponies. There are polo grounds at Fort Myer, and I do not see why we should not devote the land to which I am referring to the sort of recreation that will reach the masses. There are thousands of employees in the departments that crowd on the Potomac Park golf course that can not be accommodated. Why should not the general public be given the benefit of this ground rather than having it reserved for a few men who are in the Army and the Navy and their friends to play an exclusive game which only wealthy men can indulge in? The Army has provided a field at Fort Myer. I feel that the Department of Public Parks and Buildings should devote this land on the Potomac Drive to the general public and their athletic interests rather than to reserve it to the few men I have described. [Applause.]

Mr. BLANTON. The polo ponies are furnished them by the taxpayers of the Government. The remount service is distributing stallions all over the United States to raise ponies for the Army and the Navy.

Mr. TREADWAY. That is a matter between the Army and other Government officials. I am only referring to the use of this tract of land that I think could be used for other purposes to the great advantage of the public.

The pro forma amendment was withdrawn.

The Clerk read as follows:

For general expenses in connection with the maintenance, care, improvement, protection, operation, repair, cleaning, heating, and lighting of the Washington Monument and Grounds; the Lincoln Memorial and Reflecting Pool; the house where Abraham Lincoln died; grounds surrounding executive departments; and public buildings in the District of Columbia under the jurisdiction of the Office of Public Buildings and Public Parks of the National Capital; including the installation of a vault in the Navy Building not to exceed \$20,000; rent of buildings in the District of Columbia; city directories; contingent expenses; traveling expenses and car fare not exceeding \$300; communication service; professional, scientific, technical, and law books; periodicals and reference books; blank books and forms; photographs; maps; leather and rubber articles for the protection of public property and employees; the maintenance, repair, exchange, storage, and operation of not to exceed one motor-propelled passenger-carrying vehicle; the purchase, maintenance, and repair of equipment and fixtures; and not exceeding \$7,000 for uniforms for employees; \$725,500: *Provided*, That hereafter section 3709 of the Revised Statutes of the United States shall not be construed to apply to any purchase or service rendered for the Office of Public Buildings and Public Parks of the National Capital when the aggregate amount involved does not exceed the sum of \$50.

Mr. BLANTON. Mr. Chairman, I make the point of order to the language beginning on page 28, line 16, as follows:

and not exceeding \$7,000 for uniforms for employees; \$725,500: *Provided*, That hereafter section 3709 of the Revised Statutes of the United States shall not be construed to apply to any purchase or service rendered for the Office of Public Buildings and Public Parks of the National Capital when the aggregate amount involved does not exceed the sum of \$50.

That is a change of law and is placing legislation upon an appropriation bill unauthorized by law.

Mr. WOOD. This is a little different from other items. I admit it is subject to a point of order.

Mr. BLANTON. I will reserve it, but I intend to make it later.

Mr. WOOD. I want the gentleman and other members of the committee to understand what this is. Under this item which provides for purchase and service—under the present law if the Superintendent of Public Buildings and Grounds wants a carpenter to do three hours' work he has to go to the civil service to get him. There is a lot of work of this character, and if this goes out it will result in the expenditure of a lot of money that would otherwise be saved.

Mr. BLANTON. The gentleman is incorrect about that. The first paragraph on page 27, lines 17 to 21, providing intermittent and seasonal employees, gives the superintendent the right to employ them without going to the civil service.

Mr. WOOD. No; it goes to the civil service for them.

Mr. BLANTON. I know of 150 employees who are employed regularly without going to the civil service.

Mr. WOOD. Every one of these lists are furnished by the civil service.

Mr. BLANTON. For instance, take those employees down in the Rose Garden. I make the point of order, Mr. Chairman.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

For an additional assistant secretary of the Smithsonian Institute, \$7,500, during the present incumbency; and in the event of a change in incumbency, the salary of such position shall be in accordance with the provisions of the classification act of 1923 and section 2 of this act.

Mr. BLANTON. Mr. Chairman, I make the point of order to the language in lines 12 to 16, inclusive, page 30, for the reason that it is legislation unauthorized on an appropriation bill, changes existing law, and creates a new position outside of the clerical service.

Mr. WOOD. Mr. Chairman, this paragraph is not subject to a point of order. The position named for which this salary is provided is within the classification provided in the classification act, from \$6,000 to \$7,500.

The CHAIRMAN. Will the gentleman cite the Chair to the law providing for this additional secretary?

Mr. WOOD. Yes. I shall find it for the Chair. There is provision of law for the creation of this office. It was created by virtue of affirmative act of Congress.

The CHAIRMAN. If it is going to take some time to look the law up, the Chair suggests that we pass the paragraph over temporarily until the gentleman finds it.

Mr. BLANTON. Mr. Chairman, I think that is a good suggestion, but I call the attention of the Chair to one other provision, and there is no doubt about its being legislation.

The Chair will notice that the present incumbent is authorized to draw \$7,500 in spite of the classification act, and that when he dies and is succeeded by somebody else, that somebody else shall go back to the classification act for his salary. Therefore, regardless of any law they hope to find—and I do not think they will find any—that would make it subject to the point of order.

Mr. WOOD. Mr. Chairman, the reason for putting this provision in the bill is so that we may protect the classification act in this. Doctor Wetmore, the present incumbent, has been there for a number of years. He is one of the most efficient men in the service.

Mr. BLANTON. He is not the Assistant Secretary?

Mr. WOOD. Yes; he is; and because of that fact we insert this provision so that when the present incumbent's services cease the man who is appointed to succeed him shall be paid under the classification act.

Mr. BLANTON. I know Doctor Wetmore. If this is to take care of him, I withdraw the point of order.

Mr. WOOD. That is what is the intention of the paragraph.

Mr. BLANTON. Mr. Chairman, I withdraw the point of order.

The Clerk read as follows:

PRINTING AND BINDING

For all printing and binding for the Smithsonian Institution, including all of its bureaus, offices, institutions, and services located in Washington, D. C., and elsewhere, \$90,000, of which not to exceed \$7,000 shall be available for printing the report of the American Historical Association: *Provided*, That the expenditure of this sum shall not be restricted to a pro rata amount in any period of the fiscal year.

Mr. BLANTON. Mr. Chairman, on page 32, beginning in line 7, I make the point of order to the following language:

Provided, That the expenditure of this sum shall not be restricted to a pro rata amount in any period of the fiscal year.

That is legislation unauthorized upon an appropriation bill.

Mr. WOOD. Mr. Chairman, this item is subject to the point of order. We have been continuing this provision for years and years in order to aid these people in getting these reports out sooner than they otherwise would.

Mr. BLANTON. Mr. Chairman, I insist upon the point of order.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

Hereafter section 3709 of the Revised Statutes of the United States shall not be construed to apply to any purchase or service rendered for the bureaus under the Smithsonian Institution when the aggregate amount involved does not exceed the sum of \$50.

Mr. BLANTON. Mr. Chairman, on page 32 I make the point of order against lines 10, 11, 12, 13, and 14, because it is legislation unauthorized by law on an appropriation bill, and it seeks to change existing law.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

TARIFF COMMISSION

For salaries and expenses of the United States Tariff Commission, including purchase and exchange of labor-saving devices, the purchase of professional and scientific books, law books, books of reference, gloves and other protective equipment for photostat and other machine operators, payment in advance for subscriptions to newspapers and periodicals, and contract stenographic reporting services, as may be necessary, as authorized under Title VII of the act entitled "An act to increase the revenue, and for other purposes," approved September 8, 1916, and under sections 315, 316, 317, and 318 of the act entitled "An act to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes," approved September 21, 1922, \$673,500, of which amount not to exceed \$551,780 may be expended for personal services in the District of Columbia and not to exceed \$2,000 for expenses, except membership fees, of attendance at meetings concerned with subjects under investigation by the commission: *Provided*, That no part of this appropriation shall be used to pay the salary of any member of the United States Tariff Commission who shall hereafter participate in any proceedings under said sections 315, 316, 317, and 318 of said act, approved September 21, 1922, wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative.

Mr. CONNALLY of Texas. Mr. Chairman, I offer an amendment to strike out the last line.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CONNALLY of Texas: Page 33, strike out all of line 15.

Mr. CONNALLY of Texas. Mr. Chairman and gentlemen of this committee, I rise to express the hope that in view of this very liberal appropriation for the maintenance of the United States Tariff Commission during the next fiscal year, the Tariff Commission, in pursuance of its supposed purpose, will, at a very early date, investigate the schedules on iron and steel, with a view to recommending to the President a reduction in those schedules, and to invite the President, if such a thing should occur, to exercise his powers under the flexible tariff provision and reduce the schedules on iron and steel.

A single corporation in the struggling iron and steel industry, one of our most debilitated infant industries, has, within the very recent past, been able to pass to its stockholders a stock dividend of \$200,000,000. Forty per cent of the capital stock of the United States Steel Corporation has been—I started to say earned—but I can not use that word; 40 per cent has been acquired by the Steel Corporation on its capital stock. The tragedy of the situation is that that 40 per cent was intended for the benefit of the American laboring man. The purpose of adopting the high tariff on steel and iron was to enable the American laboring man to get this \$200,000,000.

Mr. HASTINGS. Forty per cent was in addition to the \$500,000,000 already paid out.

Mr. CONNALLY of Texas. I thank the gentleman from Oklahoma. Of course, everybody who has kept up with the situation understands that \$200,000,000, or the 40 per cent of the capital investment, in the Steel Corporation was in addition to all of the normal dividends that that organization has been paying to its stockholders. But by some hook or crook the \$200,000,000 which was intended to go to the American laboring man, instead of winding up in his pocket, winds up in the treasury of the United States Steel Corporation.

One of the things I desire to call to the attention of the Tariff Commission for its review is the fact that the law is not working as it was intended to work. Another thing is that the tariff on steel and iron was imposed in order to give the American farmer a market for his products. If steel and iron manufacturers are not prosperous, if their laborers are not prosperous, then they will not be able to buy the corn of the gentleman from Iowa [Mr. COLE] or the wheat of my friend from Kansas [Mr. TINCHER]. After getting the \$200,000,000 in addition to the normal incomes, the steel corporation and the laborers in that institution, who did not get the \$200,000,000, refuse to give the American farmer the market which this law was intended to create.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CONNALLY of Texas. Mr. Chairman, I ask unanimous consent to proceed for an additional five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CONNALLY of Texas. Now, to show you, in the second place, where this law is not working as intended, the farmer of the gentleman from Iowa [Mr. COLE] is producing corn and cattle. That farmer has not realized that market that was supposed to have been furnished him by the United States Steel Corporation. And the farmer of the gentleman from Kansas [Mr. TINCHER] does not realize that ambition that he had that he would be able to sell his product at an enhanced figure. The farmer of others who sit on this side of the aisle does not realize that splendid market that this law was enacted to create and supply.

But, Mr. Chairman, however much I hope that the Tariff Commission will undertake to investigate iron and steel schedules I am very fearful that the commission will not do that very thing. But if gentlemen on the majority side of this Chamber, if gentlemen who voted for the flexible tariff provision were sincere then and are sincere now, if they voted for the tariff on iron and steel in order to give the American laboring man better working conditions, if they voted for it in order that the American farmer might have a better market, they will join with me in asking that the President of the United States under the plenary power which he has under the law to direct the Tariff Commission to investigate the iron and steel schedules and they will request the President of the United States when that investigation has been made, if it is made thoroughly and if it is made honestly, to follow that recommendation and lower the schedules on iron and steel that go into the implements that the farmer must use, that go into the automobile that the gentleman from Iowa [Mr. COLE] rides in, that will go into the expensive and luxurious car which the gentleman from Kansas [Mr. TINCHER] rides in, and goes into the products, my friends, goes into the utilities that practically every person in America employs. But will they join me in that? Will the gentlemen on the Republican side join me in that request?

Mr. MACGREGOR. No.

Mr. CONNALLY of Texas. Of course they will not. The gentleman from New York [Mr. MACGREGOR] from his place answers, no. It is the first time the gentleman has ever spoken when he had behind him the full authority of the whole of his side of the House. [Laughter.]

And when he spoke though unofficially he spoke for those of you gentlemen who voted for a protective tariff on iron and steel, which under a hypocritical mask you are saying was to help the American farmer and the American laboring man.

Come out from behind your hunter's blind; come out from behind that brush blind behind which the hunter hides in the morning waiting for the duck and goose as they land out in front of him in wintertime—come out from behind the blind from which you are assassinating agriculture, from which you are shooting down the toilers, men in the ordinary walks of life in this country, and which you are doing in behalf of the United States Steel Corporation. [Applause.] The United States Steel Corporation that is able not only to sell the product at cost of production, which is able to pay its stockholders a handsome dividend and then as a Christmas present or a New Year's gift hand out to them \$200,000,000, 40 per cent on the invested capital that has been wrung from the American farmer, from the American wage earner, from the American in every walk of life as taxes, as a tribute for the poor privilege of using the implements that have become necessary in this modern age and under modern civilization. [Applause.]

Mr. TINCHER. Mr. Chairman [applause], I hold no brief for the American Steel Corporation. However, I guess that there are men who labor who own the biggest percentage of the stock of that corporation of any corporation in America. But I am "pained and grieved," as I have heard my friend from Texas say, to see him get out of line with his party. I, too, thought, as he evidently thinks, that there was some disposition on the part of my Democratic friends to reduce customs duties.

I gained that impression through the recent campaign by listening to speeches from gentlemen like the gentleman from Texas [Mr. CONNALLY], but not from the real leaders. [Laughter.] Now, the speeches made were for political consumption; but let us see how serious our friends are. Was that talk about reducing the tariff on steel to benefit the American farmer sincere? Does that represent the position of the great Democratic Party in this Nation? No. How do we know? Because we do business here under rules and regulations; and, in accordance with the customs and rules of this House, the great Committee on Ways and Means originates all tariffs; and the great Committee on Ways and Means also originates all tax bills and all tax reduction bills; and under Republican leadership and laws we find a

surplus, so-called, in the Federal Treasury. Our Democratic friends, not used to surpluses [laughter] and unfamiliar with anything but deficits, thereupon become excited; and the great committee of OLDFIELD and the great committee of HULL and the other Democratic real leaders of the Ways and Means Committee come forth with a bill which they say they are going to pass by petition to reduce the taxes and reduce the income of the Federal Government over \$350,000,000 a year. This great Democratic revenue measure is printed; and while they offer to take away from the Government an income of \$350,000,000 a year, they do not offer to reduce the customs duties on a single product. That is what they are for; CONNALLY's speech is what they talk. They offer to take the tax off first. I am not criticizing GARNER. GARNER's bill bears his name. But he speaks as the leader of the Democratic Party on the great Committee on Ways and Means when he speaks.

Mr. HULL of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. TINCHER. Yes.

Mr. HULL of Tennessee. I desire to inform the gentleman that I have at least 15 or 20 bills on the calendar.

Mr. TINCHER. You are not in accord with GARNER.

Mr. HULL of Tennessee. I am talking now about the gentleman's bill. [Laughter.]

Mr. TINCHER. GARNER is the ranking member on the Democratic side of the Committee on Ways and Means, and I understand our Democratic friends were a unit on the proposition to reduce taxes.

Here is the first item, to reduce the tax on the Steel Corporation and on other corporations which pay our Government a tax of 13½ per cent. The first item is to reduce that tax. The one is what you are for, and the other is what you talk about. [Laughter.] The second item in the bill here that we come to is this—listen to this, ye tariff reformers. The second item in this bill is to reduce the tax on amusements. They would reduce the amusement tax. There is not an item in here to reduce a duty. This is not a customs duty.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. TINCHER. I ask, Mr. Chairman, for five additional minutes.

The CHAIRMAN. The gentleman from Kansas asks for five additional minutes. Is there objection?

There was no objection.

Mr. TINCHER. I did not expect to speak at all, but I had an inspiration. [Laughter.] I do not think they ought to reduce that tax. I think if anyone wants to pay to hear Mr. CONNALLY or myself amuse them, there ought to be a tax imposed. At any rate, that is not a reduction of a customs duty.

And then on the clubs, they are going to reduce the tax on them; in October reducing the tariff on imaginary schedules, and in Congress in the wintertime reducing my club dues. [Laughter.]

That item in the bill is a great reform measure by which you propose to reduce the surplus, to reduce the tax on automobiles. If there is any customs duty that is oppressive to the farmer, why do not my Democratic friends offer to reduce that, instead of the tax on automobiles? Once in awhile Mr. CONNALLY is right. When you get in on speeches like those he made, folks sometimes forget actual facts. You have no more business talking about tariffs than you have about surpluses. When you have been permitted to run the Government in your own way—as you have been twice, once under Cleveland—you issued bonds to make up the deficit. You had no trouble about surpluses. Then when you got hold of the Government again you passed excise taxes in peace time to run the Government. When we have a surplus you ought to write to the President a letter—that is what you ought to do—and say, "Dear Mr. Coolidge, we have thought this thing over, and as long as you have got a surplus, why you and Mr. Mellon and the Republican leadership in Congress may handle it, and if you get any deficits we are experts in that line, and then we will handle that." [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from Kansas has expired. The Clerk will read.

The Clerk read as follows:

EMERGENCY SHIPPING FUND

For expenses of the United States Shipping Board Emergency Fleet Corporation during the fiscal year ending June 30, 1928, for administrative purposes, the examination of estimates of appropriations in the field, miscellaneous adjustments, losses due to the maintenance and operation of ships, for the repair of ships, and for carrying out the provisions of the merchant marine act, 1920, (a) the amount on hand July 1, 1927, but not in excess of the sums sufficient to cover all

obligations incurred prior to July 1, 1927, and then unpaid; (b) \$12,000,000, and in addition not to exceed \$5,000,000 of the special appropriation of \$10,000,000 contained in the independent offices appropriation act for the fiscal year 1927 and reappropriated by this act; (c) the amount received during the fiscal year ending June 30, 1928, from the operation of ships: *Provided*, That no part of these sums shall be used for the payment of claims other than those resulting from current operation and maintenance; (d) so much of the total proceeds of all sales pertaining to liquidation received during the fiscal year 1928, but not exceeding \$3,000,000, as is necessary to meet the expenses of liquidation, including also the cost of the tie-up and the salaries and expenses of the personnel directly engaged in liquidation: *Provided*, That no part of this sum shall be used for the payment of claims.

Mr. DAVIS rose.

The CHAIRMAN. For what purpose does the gentleman from Tennessee rise?

Mr. DAVIS. I wish to reserve a point of order on the language on page 35, lines 6 and 7, to wit, "the examination of estimates of appropriations in the field." This language has never before appeared in a similar bill, and it is very unusual language. I want to ask the chairman of the subcommittee or some other member of the committee the purpose of it.

Mr. WOOD. It is the exact language that appears in the Navy bill and the Army bill and in the Interior Department bill. The purpose of it is this: As every Member of the House knows, it sometimes becomes very important for a committee or a subcommittee to make a visitation to see whether or not the estimates public officials are making and the money they are asking for should be allowed. It is reported in other measures, and I do not think it is abused, and it might result in great good. The gentleman himself may appreciate the fact that it has a very close range and it might be a good idea.

Mr. DAVIS. I am not opposed to those investigations, but when they are made I think they ought to be made under proper resolution. I think they ought to be paid for out of the contingent fund of the House and not out of the appropriations made for our merchant marine.

Mr. WOOD. They would not be paid for out of such appropriations. Suppose a subcommittee went abroad, say, to England; all they would get out of this would be their passage upon a vessel; they would have to pay for their keep and pay all of their expenses while gone. There would not be any expense charged against the fund.

Mr. DAVIS. If there would be no expense there is no occasion for this authority.

Mr. WOOD. Yes, there is; otherwise you would have to pay your transportation upon the boat. It would be to that extent an expense, but it does not draw upon the appropriation.

Mr. DAVIS. Mr. Chairman, I am opposed to provisions of this kind being injected into appropriation bills, and I make a point of order against this language.

The CHAIRMAN. Will the gentleman from Indiana permit the Chair to ask him a question?

Mr. WOOD. Yes.

The CHAIRMAN. Will the gentleman from Indiana cite the provision in the law which authorizes the Shipping Board to examine the estimates of appropriations in the field?

Mr. WOOD. I did not quite catch what the Chair asked me.

The CHAIRMAN. Can the gentleman from Indiana cite the Chair to the law authorizing the Shipping Board to go out in the field and examine as to whether or not the estimates made for appropriations are warranted or otherwise?

Mr. WOOD. I think I can, but it will take a little while to do so.

Mr. GARRETT of Tennessee. I would call the Chair's attention to the fact that this is not for the Shipping Board to make such examinations, but it is for a subcommittee of the Committee on Appropriations to make such examinations.

The CHAIRMAN. But it is under the emergency shipping fund. The Chair has no method of ascertaining whether it is for any purpose other than the purpose set forth in the bill.

Mr. DAVIS. Mr. Chairman, the chairman of the subcommittee has just stated that the purpose of it was in order that members of the Appropriations Committee might go abroad, or elsewhere, and make these investigations. My contention is that this appropriation is for the "emergency shipping fund"—"for the expenses," as stated in the language of the bill, "of the United States Shipping Board Emergency Fleet Corporation," and so on. An effort to divert a part of the fund for the payment of the expenses of a congressional committee is wholly unauthorized by any legislation, so that this is legislation in an appropriation bill. Of course members of the Shipping Board may travel under certain conditions in the per-

formance of their statutory duties and have their traveling expenses paid; but they have no occasion to examine the estimates of appropriations in the field. That is a matter for Congress, and the gentleman from Indiana has just stated that the purpose of this provision was that members of a congressional committee might make these trips at the expense of the fund.

The CHAIRMAN. Does the gentleman from Indiana desire to add anything further?

Mr. WOOD. I have nothing further to add.

The CHAIRMAN. Will the gentleman permit the Chair to ask him a question?

Mr. WOOD. Yes.

The CHAIRMAN. Is the purpose of the language to provide for the expenses of a committee of Congress?

Mr. WOOD. I will state to the Chair and to the House the purpose of this language. It is to enable, if necessary, any subcommittee of the Appropriations Committee, or other authorized committees, to examine estimates of appropriations in the field if, in their opinion, the estimates that have been made or will be made by the Shipping Board are not what they ought to be, or if the committees have any doubt about the estimates, they may have the right of visitation themselves. I want to be perfectly frank about it. I know that a year or two ago, if the subcommittee could have gone to Europe and made the examination there that should have been made, we would have saved many, many thousands of dollars. In this instance, the language recommended would furnish the members of such subcommittee with transportation; the persons themselves paying their own maintenance on the trip. Exactly the same provision is to be found in the Navy, Interior, and War Department bills.

The CHAIRMAN. The Chair is ready to rule. In the absence of the citation requested by the Chair from the chairman of the committee the Chair is unable to find in the law any provision whereby appropriations could be diverted from the Shipping Board to pay the expenses of any committee of Congress. Consequently, the Chair concludes that any provision drawn with that intent must be legislation, and therefore sustains the point of order.

Mr. EATON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New Jersey offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. EATON: After the word "claims," in line 3, page 36, insert: "*Provided*, That the Shipping Board is authorized and directed to have constructed in private shipyards of the United States two vessels to operate in conjunction with the steamship *Leviathan*, at a cost each not to exceed \$15,000,000, due consideration to be made in their design for their possible use as naval auxiliaries. The money necessary for these vessels to be taken from the construction loan fund of the Shipping Board, and the sum of \$2,000,000 is hereby made available to begin plans and construction at the earliest possible time."

Mr. WOOD. Mr. Chairman, I make a point of order on the amendment. I will reserve it if the gentleman desires.

Mr. EATON. I would like to say a few words.

Mr. WOOD. Then I reserve a point of order, Mr. Chairman.

Mr. BLACK of New York. Mr. Chairman, I would like to offer an amendment to the amendment.

Mr. BLANTON. If that is going to be done, I make the point of order.

The CHAIRMAN. The gentleman will have to wait until the point of order is disposed of.

Mr. BLACK of New York. If I am not precluded from subsequently offering an amendment to the amendment, I will suspend now.

Mr. SNELL. Mr. Chairman, the gentleman can not take the gentleman from New Jersey off the floor after he has been recognized. The gentleman has been recognized and has a right to speak.

Mr. BLANTON. Mr. Chairman, the discussion of this paragraph is going to be prolonged here with other amendments, and I make the point of order that it is legislation on an appropriation bill unauthorized by law.

The CHAIRMAN. The Chair sustains the point of order.

Mr. EATON. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none. [Applause.]

Mr. EATON. Mr. Chairman, I would not intrude my views upon this honorable body at this time except for a profound conviction that one of the most calamitous circumstances in our

history is now impending in the decadence of our privately owned shipyards.

Before the war, not being a maritime nation we had only some 15 or 18 privately owned shipyards along our coasts. Up to 1914 they were struggling for an existence. Then came certain orders which improved their condition. Then we went into the war and they became more prosperous. Then came the emergency of our declaration of war, and we had to build around 150 shipyards, often in most unheard-of places. Being an officer of the Government at that time, I helped to build a good many of them and was responsible for the production of the labor in everyone of them.

Since the war we have witnessed, if you gentlemen have acquainted yourselves with the situation, the greatest suffering and financial loss in connection with our privately owned shipyards that has ever fallen upon any industry within our borders.

We can not have a merchant marine unless we have shipyards. We can not have shipyards unless we give them something to do, and at this moment we have only two ships of importance on the stocks of our private shipyards. When they are through we will lose even the small technical and engineering force left in private yards and which requires from 5 to 10 years to assemble; and we shall be without shipyards.

In addition to this, I wish to say that in the next five years unless we build ships of the *Leviathan* class, the *Leviathan* itself will go off the sea. We must have shipyards if we are to have a merchant marine, and I ask the earnest attention of this House to this aspect of our merchant-marine problem. What a national disaster it would be to find ourselves without means for shipbuilding or ship maintenance in case of war can be visualized by recalling our condition of helplessness and panic at the beginning of the World War. [Applause.]

Mr. McDUFFIE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McDUFFIE of Alabama: After the word "act," in line 17, page 35, strike out the semicolon and add the following: "Provided, That the said \$5,000,000 is hereby made available to be used by the Shipping Board to the same extent, for the same purposes, and in the same manner as said fund of \$12,000,000."

Mr. McDUFFIE. Mr. Chairman and gentlemen of the committee, this amendment is offered with the best of intentions and with the view of trying to be helpful to the Shipping Board, which is struggling under many handicaps. It has struggled under those handicaps for many years in endeavoring to function. Without this amendment the board will be hamstrung and circumscribed in its activities. The bill as presented provides they must first seek the approval of the President before they can expend this \$5,000,000.

I hope the committee will agree to the amendment. The President did not ask you to give him this authority or to put this responsibility upon him. If you are going to use this \$5,000,000 as a part of the emergency fund you are providing, if it is intended to be a part of that fund and you really want the President to take charge of the board and its work, as well as this \$5,000,000, where is the logic in not giving him control of the entire \$17,000,000?

Twelve million dollars, all those connected with the Shipping Board say, is not enough. They state they will have to lay up ships, and the gentleman knows and this House knows that every district represented here is interested in continuing the proper operation of this board.

If we are going to tie the hands of this board by putting strings to its appropriations, it means we are going to lay up our ships. When they said they could not get along with \$12,000,000, this committee, without any suggestion from the President, without any urging from anybody under the sun, so far as the hearings disclose, put in language, unquestionably, with the intention of providing that the President should control the expenditure of this \$5,000,000. What reason is there for it? The Shipping Board, as I stated, has operated under great handicaps, and you heard here yesterday the gloomy picture painted of the future results of the operations of that board under the policy of this administration.

As to saving money, the board have done wonderfully well, and have cut down their expenditures from year to year. The board has made a good showing. The Congress has gone from \$50,000,000 appropriations in 1924 to \$12,000,000, suggested by the Budget in 1928.

Nobody knows why the Budget suggested \$12,000,000. I do not know whether it was suggested by the President's program of economy, and there is nothing in the voluminous and interesting hearings that suggests \$12,000,000 is sufficient. Chairman O'Connor and General Dalton, who is at the head

of the Emergency Fleet Corporation, both said that they could not get along on \$12,000,000. The committee says, by this bill, "we will give you, in addition, \$5,000,000 of the defense fund, but we will have to tie a string to it, so that you can not expend it for any important activity without first getting the approval of the President of the United States."

Why do you not make the same provision in regard to the post-office fund or the appropriation for agriculture or the Interstate Commerce Commission and all other departments we have established in this Government? I do not know of a single department where you have tied a string to it. Is it not strange you apply it to this one? The Shipping Board is already operating under handicaps. It is "hog tied" hand and foot. You Republicans profess great affection for a merchant marine and say you are friendly; but actions speak louder than words. If the President had asked for this, possibly I would not deny it to him. You ought not to treat the Shipping Board in your appropriations different from the way you treat other appropriations. You say, "Oh, yes; we want a merchant marine; we are for a merchant marine," but if you look at the record, you must conclude that you are choking it to death. You are gradually withdrawing sustenance from the operation of that organization and circumscribing it, until you now prevent the Shipping Board from giving such a service as the people throughout the country everywhere are demanding day by day.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. McDUFFIE. I feel that I am trespassing on your time, but I would like five minutes more.

The CHAIRMAN. The gentleman from Alabama asks for five minutes more. Is there objection?

There was no objection.

Mr. McDUFFIE. Let us take the record here. Now, as to the number of terminations in 1924, we had 1,686; in 1927 we will have 1,330. In 1928 we will have 1,176. In 1925 we had 1,231 ships and in 1926 we have only 881, and few of those ships sold are put in the overseas trade. As far as the trans-Atlantic lines are concerned, private enterprise is not rapidly going into that business so far as the record shows. We must operate by the Government until private enterprise enters this important business.

Many of the ships have been sold for junk. Last year the Shipping Board asked for \$18,600,000, and you said they must get along with \$13,900,000, and the record shows that the loss this year will be \$17,500,000. The board was not far wrong, but this Republican Congress finds no difficulty in cutting the funds below the point of necessity. This year the board will have a deficit of \$3,500,000. Some of us tried to persuade you that you were wrong.

We must conclude that the President and others in authority are not in earnest when they proclaim so much interest in our merchant marine. It reminds me of the little rhyme—

Mother, may I go out to swim?

Yes, my darling daughter;

Hang your clothes on a hickory limb,

But don't go near the water.

Mr. WAINWRIGHT. Did the gentleman say that the Shipping Board asked for \$18,000,000?

Mr. McDUFFIE. The Shipping Board first estimated for \$18,500,000, and then they got down to \$17,500,000 after they visited the Budget officer, and now the committee gave them \$12,000,000.

Mr. WAINWRIGHT. Why does not the gentleman move to increase it to \$17,000,000?

Mr. McDUFFIE. The gentleman will see on page 35 that the intention was to take \$5,000,000 from the so-called defense fund and add that to the \$12,000,000, and they propose to get along on that, but I know they can not do it. When they gave the \$5,000,000, however, they tied a string to it and said the board can not use it until they get the approval of General Lord or the President.

Now I am not quick to charge that big opposing business is controlling men, but it strikes me that somewhere, from some powerful and persuading influence, pressure is being used against our merchant marine with the view of ultimately driving our flag from the seas. This Congress is responsible for this handicapping of the Shipping Board by its failure to provide the funds necessary for its proper operation. The American people everywhere desire its continuance in full vigor. Let the world know we are in this business to stay.

Remember, the only way the board was able to function this year was to draw on its reserves. Chairman O'Connor says their reserves now pledged and \$12,000,000 appropriation means laying up of ships.

Unless you adopt this amendment our competitors will say "the Shipping Board is going out of business." Some big interest somewhere, it seems to me, is reaching out its withering hand and touching this activity of the Government in an effort to devitalize it and make it a failure. In the interest of an American merchant marine let us adopt this amendment. Let me say in closing that our merchant ships saved the producer and the consumer of America last year 10 times as much as we are appropriating in this bill. It has saved us more in a few months than was appropriated in four or five years, and I beg you to cut the string from the \$5,000,000 and give them a free hand. [Applause.]

Mr. GARRETT of Tennessee. Mr. Chairman, I rise to ask a question or two of the gentleman from Indiana [Mr. Wood]. Does the gentleman concur with the statement of the gentleman from Alabama [Mr. McDuffie] that the limitation that is fixed on page 36 will apply to this \$5,000,000 if it is appropriated as is proposed in this paragraph on page 35?

Mr. WOOD. This is what will happen: The \$5,000,000 out of the \$10,000,000 appropriation called the defense fund is released by the language of this bill, to be used by the Shipping Board in the event that the \$12,000,000 appropriated outright is insufficient to cover operating expenses.

Mr. GARRETT of Tennessee. But in order to use it, will the President first have to approve it?

Mr. WOOD. In order to use it they would have to make a showing to the President.

Mr. GARRETT of Tennessee. Would the other limitation apply; that is, merely to ships that are taken back?

Mr. WOOD. Five million dollars would still remain intact for the purposes for which it was originally appropriated. That is to say, if the board had to take ships back from purchasers, they could, upon proper showing to the President, obtain from that fund an amount sufficient to continue operation of the ships taken back.

Mr. GARRETT of Tennessee. And if it be used under the paragraph contained on page 36, would the limitation apply?

Mr. WOOD. Yes.

Mr. GARRETT of Tennessee. As I understand the gentleman, it is his position that if it is used under the paragraph contained on page 35 the same limitations would apply.

Mr. WOOD. Yes.

Mr. GARRETT of Tennessee. Namely, it would have to have the approval of the President?

Mr. WOOD. Yes.

Mr. GARRETT of Tennessee. And it would be only for ships taken back.

Mr. WOOD. No; \$5,000,000 of the \$10,000,000 appropriation would remain for ships taken back from purchasers. Ten million dollars was appropriated for this purpose. The other \$5,000,000 would be for the purpose of covering the losses due to operation just the same as the \$12,000,000 appropriated directly from the Treasury, except that in order to get any portion of the \$5,000,000 they would have to make a proper showing to the President.

Mr. Chairman, before the question is put I desire to be heard. It is not the intention of the subcommittee, nor do I think it is the intention of any member of the general Appropriations Committee, to injure the Shipping Board or the Emergency Fleet Corporation. Last year we made an appropriation of \$13,900,000. When that appropriation was made the gentlemen representing the Emergency Fleet Corporation and the Shipping Board were of the opinion that they could not operate within that appropriation; that it would take more money to cover their losses. At that time we had an understanding with them that if they could not get along with the \$13,900,000 together with what they might obtain out of reserves on hand a deficiency appropriation would be granted. The evidence taken before your committee shows that operating losses will be practically \$17,400,000, but they will not come to the Congress for a deficiency appropriation. They have been able to take out of their reserves an amount sufficient to make up the difference. They may be able to do that again, and they may not. In order to provide for any emergency, in order to make available an amount sufficient to cover any emergency that can not be met within the \$12,000,000 and within what they can further extract from their reserves, by making a showing to the President of the United States they can obtain \$5,000,000 in addition to the appropriation of \$12,000,000.

Mr. McDUFFIE. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. McDUFFIE. Does not the evidence show that there are liabilities against their reserves, and, as the chairman said when he was urging the committee to increase this appropriation, they can not use up any more of the reserves for operating losses? Is not that the fact?

Mr. WOOD. That is what the chairman said, but here is the situation: There is a lot of unfinished business in the Shipping Board. It has been the purpose of the board, and I know the purpose of all interested in it, to get the operation of the merchant fleet in hand. It has been a difficult task to the gentlemen in charge, and they are entitled to the sympathy rather than the censure of the public. But in conducting this operation they have so succeeded in reducing expenses, and have made such a marvelous showing this year, that, in my opinion, continuing the good work they are doing in that direction, they can get along with the \$12,000,000, supplemented by whatever they may be able to get out of reserve items. If additional funds are needed, certainly the President of the United States, with the authorization given by this bill, will see to it that the Fleet Corporation obtains a sufficient amount of money to continue operations and to cover any losses sustained.

Mr. McDUFFIE. If they are making such a good showing, and the gentleman approves of their conduct of the board, why is it necessary to make this expenditure subject to the prior approval of the President of the United States?

Mr. WOOD. The Budget recommended \$12,000,000 and the committee was convinced that some relief should be given other than that recommended by the Budget. Accordingly we released \$5,000,000 of the special \$10,000,000 appropriation that was under the control of the President. We felt that it was only fair to do this with the special appropriation; we felt it was only fair to the President of the United States and at the same time doing exact justice to the Shipping Board, that the same condition should obtain in respect to the \$5,000,000 that we were releasing for operating losses that would obtain against the remaining \$5,000,000 to be used for the purpose of operating ships taken back from purchasers.

Mr. McDUFFIE. May I interrupt the gentleman again? The gentleman will concede—

The CHAIRMAN. The time of the gentleman has expired. Mr. WOOD. Mr. Chairman, I ask for five additional minutes.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to proceed for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. McDUFFIE. They are now operating, and the board will operate at a deficit this year over and above last year's appropriation about which we complained of \$3,500,000. The gentleman does not mean to tell the House that \$12,000,000 is enough to get along on and properly carry on this governmental activity, does he? I am sure he does not. If its needs are expanding and growing, what is the objection to giving them enough money to carry it on?

Mr. WOOD. I am trying to explain to the gentleman the reason. There might be offered this further suggestion. The operation of ships, as I have said repeatedly, is peculiar to itself. We have nothing with which to compare this work in all the activities of the Government. The President of the United States is vitally interested in the merchant marine, and I expect more censure would come upon him than anyone else if there is failure or dereliction in the conduct of the merchant marine, and I should think the Shipping Board itself—and I have no word to the contrary—would like to have the benefit of the advice of the President of the United States, that he might share their responsibility.

Mr. SNELL. Will the gentleman yield?

Mr. WOOD. I do.

Mr. SNELL. Is there not another element that makes this appropriation of a different character from others? The appropriations we make for regular establishments of the Government are under the control of the Secretary, and that Secretary is directly responsible to the head of the Government, the President of the United States, while these independent offices have control of their own funds.

Mr. WOOD. That might be offered as an additional reason, but I hope to see the day when there will not be an independent establishment in the Government except the Smithsonian Institution [applause], and see every one of them under a responsible head. That practice has cost this Government millions of dollars that might have been avoided.

Mr. GARRETT of Tennessee. If the gentleman will permit, I was going to suggest that reason does not apply to the Interstate Commerce Commission or to several others. I am speaking of the reason offered by the gentleman from New York.

Mr. WOOD. Take the business of the Interstate Commerce Commission. It is centered in Washington. Take the business of all the other activities of this Government. It is all centered here, while the business of the Fleet Corporation extends all over the world.

Mr. McDUFFIE. Will the gentleman yield?

Mr. WOOD. I do.

Mr. McDUFFIE. The gentleman said the President was interested and admits they need more than \$12,000,000?

Mr. WOOD. Yes; I will admit it.

Mr. McDUFFIE. The Budget, the President's agency, said they would give them only \$12,000,000. Now, if the Budget is going to hold them to \$12,000,000, what is the idea of tying a string on the \$5,000,000? The Shipping Board will never have an opportunity to expend any of that \$5,000,000 if you keep that string tied to it.

Mr. WOOD. I do not think the gentleman means exactly what he says. The action of this committee and our committee passes the Budget if it is approved, and I do not think that the President of the United States, who we are charging now directly with authority to give or refuse to give any of this \$5,000,000, would be in the least influenced by the head of the Budget. There is no trouble about this proposition. If the gentlemen who are conducting the business of the Shipping Board and the Emergency Fleet Corporation make a showing that would convince any ordinary mind of the necessity of more money, they will get it, and I think it is unfair to the Shipping Board and unfair to the President of the United States to insinuate that the President would cripple them in the least. The Budget will not have anything to do with it.

Mr. McDUFFIE. The Shipping Board was not consulted about this. You had them down here, but—

The CHAIRMAN. The time of the gentleman has expired.

Mr. WOOD. I ask for five additional minutes.

The CHAIRMAN. The gentleman asks unanimous consent to proceed for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. WOOD. I want to say to you that the Director of the Budget was not consulted either.

Mr. BLAND. Mr. Chairman, will the gentleman yield?

Mr. WOOD. I yield.

Mr. BLAND. The President is responsible ultimately for the Budget, is he not?

Mr. WOOD. I think the Congress of the United States is responsible for the Budget.

Mr. BLAND. For the Budget which is submitted to Congress the President of the United States is responsible, is he not?

Mr. WOOD. Absolutely.

Mr. BLAND. Then the President of the United States has said that the Shipping Board needs only \$12,000,000, and the effect of the bill would be to place the \$5,000,000 in the hands of the man who has said that the Shipping Board needs only \$12,000,000. Is that correct?

Mr. WOOD. I want to say, in answer to the question of the gentleman from Virginia, if that were so, and the President was bound by the recommendations he makes through the Budget, he would be compelled to veto almost every appropriation bill submitted for his approval, because every bill amends the Budget estimates. That is not conclusive. The Budget Bureau is only advisory to the President of the United States, and sometimes makes mistakes, as we do here, and when that mistake is called to the President's attention, he would certainly be the first to try to correct it.

Mr. BLAND. Has that been brought to the President's attention, that the Shipping Board needs \$5,000,000 more?

Mr. WOOD. We are certainly calling to the attention of the President the duty imposed on him by Congress if this bill is passed, and if the Shipping Board makes a showing that they need any portion of this \$5,000,000.

Mr. BLAND. Could they not have made a supplemental estimate?

Mr. WOOD. We did not ask the Budget for a supplemental estimate of appropriation. We felt that we were as well informed and perhaps better informed than the Budget by reason of the facts submitted to us.

Here is another thing. The Budget is made up in September. It has often occurred to me that it would be better if it were made up within a shorter time before Congress meets. Many things transpire between the time the Budget is prepared and its consideration by Congress. The Budget makes mistakes; so does the committee; but when the committee sees a mistake, it is the first to correct it. I think the President has every disposition to carry out the will of this Congress, and it is the duty of the Budget to carry out the will of Congress.

Mr. BLAND. If the gentleman believes it has made a mistake, why not cut off all strings and make the appropriation direct and outright?

Mr. WOOD. I have given you the reason time after time, and I can not make it any plainer.

Mr. DAVIS. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Tennessee moves to strike out the last two words.

Mr. DAVIS. Mr. Chairman, there is one thing I want to call to the attention of the Members of the House, and that is that the original defense appropriation provision only authorized this \$10,000,000 to be expended in the operation of ships or ship lines which had been sold and turned back to the Shipping Board because of default in payment, and contained the further proviso that it could only be expended upon the approval of the President.

Now, as to the \$5,000,000 that is undertaken to be reappropriated along with the \$12,000,000, I suggest that if that carries with it the provision requiring the approval of the President, it also carries with it the other restriction or provision that it can only be expended in the operation of ships turned back.

Mr. WOOD. That is not in the language of the bill at all, and no such construction could be given to it.

Mr. DAVIS. It is in the language of the reappropriation on page 36, and it is in the original appropriation in the last Congress was made—

to operate ships or lines of ships that may be taken back from purchasers by reason of competition or other methods employed by foreign shipowners or operators.

It says:

There is hereby reappropriated the unexpended balance of \$10,000,000—

Mr. WOOD. Now please turn back to page 35.

Mr. DAVIS. Yes; I concede that on the other page it is not carried, but neither is there carried on the other page the condition that it must be approved by the President. Why is it that the gentleman contends that it would carry one condition and not the other?

Mr. WOOD. I do not admit anything of that character. On page 35 the \$5,000,000 is released, and in order that that \$5,000,000 might be available the reappropriation of \$10,000,000 would of necessity be added.

Mr. DAVIS. And the appropriation of \$10,000,000 contained in the appropriation bill for 1927 is reappropriated in this act.

I want to say that I submitted it to one of the best parliamentarians in this House and he stated that while it was ambiguous, in his opinion it would probably carry both provisions. There should not be any ambiguity about it, and the amendment offered by the gentleman from Alabama [Mr. McDuffie] should be adopted in order that there shall not be any question.

I wish to say a word upon another phase of this question. It is true, as stated by the gentleman from Indiana [Mr. Woon] that in the last Congress we appropriated \$13,900,000 for all of the expenses of the Shipping Board and Emergency Fleet Corporation, their operations, and so forth. They were assured by the Budget Director, by the gentleman from Indiana, and others on the floor of the House, and others upon the floor of the other body that, if it developed that that was not a sufficient amount for them to maintain their present service, they could come back and would be given a deficiency appropriation. There was a deficit of \$3,500,000, but instead of being given an additional appropriation they have been persuaded to encroach upon their reserves that have been set aside to cover insurance claims and other obligations which in time they will have to pay.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. DAVIS. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. WASON. Will the gentleman yield?

Mr. DAVIS. Yes; for a question.

Mr. WASON. Does the gentleman have any idea that if the Shipping Board finds when we assemble next December that they need a deficiency they will have any trouble in getting it?

Mr. DAVIS. I have very grave doubt about it, according to the temper of some of the Members now. They were not even given a deficiency appropriation this year but they have had to go into their reserves, which they all said they should not have done, and the chairman of the Shipping Board, the president of the Emergency Fleet Corporation, and the treasurer of the Fleet Corporation all stated at the recent hearings that they would be unable to draw any further upon their reserves because they would then have incurred obligations

for which there were no appropriations and would thus violate the law, and they all said they would not do it. They said that if these appropriations are cut down as recommended by the Budget Director they would proceed to withdraw some of the ships and some of the lines. They have all stated that, every one of them, that that would be the result.

Now, just assume, for the sake of argument, that the President would be willing to approve the expenditure of this \$5,000,000. He would probably say, like the gentleman from Indiana says:

Let them run along and see if they can get along on the \$12,000,000; if finally they find they can not, I may approve the expenditure of some of that \$5,000,000.

But there is not a man within the hearing of my voice who knows anything whatever about this matter who does not know that the Shipping Board can not run from day to day or month to month. They have to make contracts and incur obligations, and so do all of their managing operators, for a year ahead or months ahead; they can not run upon \$12,000,000 and then spend that in six or eight months, not knowing whether they are going to get any more or not, and have absolutely nothing with which to run the business during the balance of the year. They are not going to do it. They have given us fair warning, every one who testified upon the subject, that they could not do it and that they were not going to do it.

If you do not want to compel them to destroy these valuable trade routes that have been established at great cost, and which are rendering such great service to the citizens of this Republic, you will give them this \$17,000,000 without any strings to it except the discretion and good judgment of the Shipping Board and the Emergency Fleet Corporation. They are doing splendid work; they have been rapidly decreasing expenditures, and in times past, upon more than one occasion, they have failed to expend the appropriation that was made for them. I think that instead of trying to make them curtail these valuable services we ought to permit them to expand and increase their services, for which there is a demand.

Mr. BRIGGS. Will the gentleman yield?

Mr. DAVIS. Yes.

Mr. BRIGGS. Was it not testified by Secretary Hoover, of the Department of Commerce, that the existence of this merchant marine fleet in 1924 increased the profits and returns to the wheat producers of the United States by \$650,000,000, because this service was able to move their crops?

Mr. DAVIS. That is correct.

Mr. BRIGGS. And is it not in the hearings now that the estimate placed by some people upon the value of these services last summer, when there was no other source than the Shipping Board to move the commerce from the West and other parts of this country, is something over \$90,000,000?

Mr. DAVIS. That is correct. [Applause.]

With reference to the movement of grain, the ocean freight rate on grain is no higher than it was before the World War, although the cost of other commodities and services have increased at least 50 per cent. The American people are getting the benefit of this. If there had been as much of an increase proportionately in ocean freight rates as in other industries, every one of these ships would be operating at a handsome profit. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. McDUFFIE].

The question was taken; and on a division (demanded by Mr. McDUFFIE), there were—ayes 62, noes 70.

Mr. McDUFFIE. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. McDUFFIE and Mr. Wood.

The committee again divided; and the tellers reported that there were—ayes 79, noes 78.

The CHAIRMAN. On this vote the tellers report, ayes 79, noes 78. The Chair votes "No," making the vote a tie, and the amendment is therefore rejected.

So the amendment was rejected.

Mr. CONNALLY of Texas. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CONNALLY of Texas. Did the Chairman pass through the tellers?

The CHAIRMAN. He did not.

Mr. CONNALLY of Texas. I make the point of order that the Chairman did not pass through the tellers and therefore has no right to be recorded.

The CHAIRMAN. The Chair overrules the point of order.

Mr. CONNALLY of Texas. I appeal from the ruling of the Chair.

Mr. TILSON. The gentleman has been here too long to make that point of order.

Mr. CONNALLY of Texas. The Chairman did not pass through the tellers.

Mr. TILSON. According to the rules and precedents of the House the Chairman does not have to pass through the tellers. He can sit in his chair and vote in case the vote is a tie.

Mr. CONNALLY of Texas. Yes; if it is a tie.

Mr. TILSON. He can also make it a tie. If the Chairman's vote is decisive, he can cast it.

The CHAIRMAN. The gentleman from Texas has appealed from the decision of the Chair. Before submitting the appeal the Chair will read from Hinds' Precedents, section 5996.

Mr. CONNALLY of Texas. Mr. Chairman, a parliamentary inquiry. Do not the rules require that the Chairman vacate the chair when there is an appeal from his decision?

The CHAIRMAN. They do not. [Reading:]

The Chair may be counted on a vote by tellers. On February 14, 1901, while the sundry civil appropriation bill was under consideration in Committee of the Whole House on the state of the Union, a vote was taken on an amendment proposed by Mr. James D. Richardson, of Tennessee, and relating to certain payments on account of the old customhouse in New York City.

On a division, there being ayes 75, noes 75, Mr. Richardson demanded tellers, which were ordered.

Before the announcement of the vote by tellers the Chairman announced that he would like to be considered as having gone between the tellers. Thereupon he announced the result, ayes 92, noes 92, and that the amendment was lost.

Mr. BYRNS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. A parliamentary inquiry is not in order, the decision of the Chair having been appealed from. The question is: Shall the decision of the Chair stand as the judgment of the committee?

Mr. CONNALLY of Texas. Mr. Chairman, I have the right to debate the matter, and I ask for recognition. It is debatable.

The CHAIRMAN. The gentleman from Texas is recognized for five minutes. [Applause.]

Mr. CONNALLY of Texas. Mr. Chairman and gentlemen of the committee, I submit in all fairness and irrespective of partisanship that we should preserve the integrity of procedure and the rules of the House.

I submit that the precedent which the Chair submitted does not cover this case. If the Chairman of the committee this afternoon, as was done in the precedent which he cited, had announced prior to the announcement of the vote he desired to be considered as passing between the tellers, I am sure no gentleman on this side of the aisle and none on that side of the aisle would have objected to the Chairman being considered as having passed between the tellers.

The precedent which the Chair cited was a case in which before the teller vote was announced the Chair asked consent that he be considered as having passed between the tellers. That is not the case here at all.

After the Members had passed between the tellers and after the tellers had announced the vote by which this amendment was adopted by one vote, after the book had been closed, after the record had been made, the Chairman arbitrarily, without asking the consent of the committee that he be considered as having passed between the tellers and without physically having passed between the tellers, from his place assumed the right to say that he would vote in derogation of the custom of this House, which provides that he must pass between the tellers or have consent of the committee to be considered as having passed between the tellers.

Mr. BYRNS. Will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. BYRNS. And the precedent relied upon by the Chair shows that in that case there was a tie vote and the Chair only voted to break the tie.

Mr. CONNALLY of Texas. I thank the gentleman from Tennessee for calling that portion of the matter to my attention.

Of course, in the House when a roll call is had the Speaker or temporary occupant of the chair may have his name called and be recorded; but in the committee, where the Member is simply acting as Chairman, he has no right to vote unless he observes the same rules as other members of the committee. In case of a roll call the Speaker may avail himself of the same right of other Members. He has no greater privilege. The Chairman should have no more.

The CHAIRMAN. Will the gentleman from Texas yield to the Chair for a very brief statement?

Mr. CONNALLY of Texas. The Chair has the right to make the statement in his own time, unless he wants me to yield for a question.

The CHAIRMAN. I can not guarantee the gentleman additional time; but personally I would like to see the gentleman get such additional time as the Chair may use. I think it is very appropriate to read this precedent, as it is in line with what the gentleman is saying:

On February 18, 1904, the fortifications appropriation bill was under consideration in Committee of the Whole House on the state of the Union, when Mr. Choice B. Randell, of Texas, proposed an amendment, and a vote thereon was ordered by tellers.

The tellers reported—ayes 79, noes 78.

Thereupon the Chairman announced that he voted in the negative, that the ayes were 79 and the noes 79, and that the amendment was disagreed to.

Mr. CONNALLY of Texas. Was there any appeal from the decision of the Chair?

The CHAIRMAN. There was not.

Mr. CONNALLY of Texas. The Chair's vote was not questioned. By unanimous consent the ruling of the Chair stood approved, because nobody objected to it; and the ruling of the Chair here to-day would stand unless objected to.

If the gentleman occupying the chair wanted to vote, he should have requested the committee that he be considered as having passed between the tellers.

Mr. BYRNS. Will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. BYRNS. I am sure that every Member of the House knows that the tellers made their announcement and the Chair announced that the vote was 79 and 78, and after making the announcement said he desired to vote.

Mr. CONNALLY of Texas. The gentleman from Tennessee is absolutely correct, as he usually is. The statement of the gentleman from Tennessee reflects what transpired. The tellers reported the count, the Chair announced the vote, and then moved for a new trial because he decided to vote himself. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. TILSON. Mr. Chairman, the vote on this occasion was in entire accordance with all the precedents that I have been able to find. On February 18, 1921, I happened to be in the chair myself and this very question arose. If the Chair will bear with me, I should like to read what I said on that occasion and also give the citation that I gave on that occasion:

The CHAIRMAN. The Chair thinks, reasoning by analogy that if the Chair can vote on a tie, he should be permitted to vote to make a tie, which would be equivalent to breaking a tie, since it would change the result. But the Chair will examine the precedents, and, if wrong, will recall his vote. The present occupant of the chair wishes to rule and vote only in accordance with the rules of the House and the precedents. [After a pause.] The only precedent the Chair is able to find in the very brief time at his disposal is the following. It is very brief, and the Chair will read it in full:

"5997. Hinds' precedents: On February 18, 1904, the fortifications appropriations bill was under consideration in Committee of the Whole House on the state of the Union when Mr. Choice B. Randell, of Texas, proposed an amendment and a vote thereon was ordered by tellers.

"The tellers reported—ayes 79, noes 78.

"Thereupon the Chairman announced that he voted in the negative; that the ayes were 79 and noes 79; and that the amendment was disagreed to."

Now, Mr. Chairman, no one has been able to cite a precedent on the other side; but let us for a moment reason by analogy. The Chairman is a Member of this body. He has a right to have his vote cast in case it will be decisive. There would be no occasion for him to cast it, no reason why he should leave the rostrum to vote unless his vote is decisive. Then, why require him to leave his post of duty at all? On this vote taken by tellers the noes were one short. The Chairman, being a Member of this body and entitled to vote, voted in the negative, thereby making a tie which, under the rules of the House, defeats the amendment.

Mr. BYRNS. The rule provides that Members must pass between the tellers. I have not the rule before me, but that is my recollection. The Chair not having passed between the tellers, having an opportunity to do so if he wanted to, not having expressed to the committee before the vote that he desired to vote, I submit that he has not complied with the rules of the House.

Mr. TILSON. In any event, there have been two distinct precedents for the action of the Chairman in voting to-day—

two precedents absolutely in line and none to the contrary. With this state of facts before us, how can we overrule the Chairman, who has voted and ruled strictly in accordance with the precedents?

Mr. GARRETT of Tennessee. Mr. Chairman, I wish to be heard for one moment on the appeal. It seems to me that my colleague from Tennessee has placed his finger on the exact point. I have had occasion now and then to be in the chair when the House was in Committee of the Whole, and whenever on an occasion of that kind I wished to vote I called another Member to the chair and passed between the tellers. It seems to me, if I am correctly informed, that there is a fact that would change the situation. That is, there were certain Members who came into the Hall and were standing ready to vote in the affirmative. The vote would have been decisive of the question even after the Chair had voted had they then been permitted to vote, but the Chair having declared it a tie, and therefore the motion lost, closed that opportunity to these gentlemen to pass between the tellers and decided the question against the amendment.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. TILSON. Had not the tellers left their posts?

Mr. GARRETT of Tennessee. I can not say as to that.

Mr. TILSON. If they had, then it has been the practice of the House that no more could pass through and be counted.

Mr. GARRETT of Tennessee. Then, Mr. Chairman, that reasoning applies just as well to the vote of the Chair.

Mr. CONNALLY of Texas. Mr. Chairman, will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. CONNALLY of Texas. If at the time the Chair announced that he desired to vote other Members were present who desired to vote, would not they have had just as much right to vote as the Chair?

Mr. GARRETT of Tennessee. Undoubtedly; and I am informed by one gentleman, the gentleman from North Carolina [Mr. Doughton], that he was there desirous to vote.

Mr. McDUFFIE. And the gentleman from Mississippi [Mr. Whittington].

Mr. HILL of Maryland. Mr. Chairman, I was also desirous of voting, but the tellers had left their posts and I could not vote.

Mr. ROY G. FITZGERALD. Mr. Chairman, it seems to me that a vote by tellers is the ordinary method provided for the determination of a vote. There is no occasion for the chairman of a committee under any parliamentary procedure to vote unless that vote be decisive. In this case the Chairman of the committee was not called upon to vote or to exercise this privilege or duty until the return of the tellers showed that his vote would be decisive. Then it was his duty to cast his vote as he did. [Applause on the Republican side.]

Mr. LEHLBACH. Mr. Chairman, the rules of the House are made for a twofold purpose; first, to facilitate the orderly conduct of the business of the House, and, in the second place, to protect the membership of the House, each individual thereof, in his full rights as a Member. The Chairman of a Committee of the Whole House on the state of the Union is just as much a Member of the House when he presides as he is when he sits on the floor, and he is just as much entitled to have his vote counted in the deliberation of the committee as any other Member of the House. For that reason parliamentary usage and the precedents of the House backing the parliamentary usage from time immemorial have always entitled the Presiding Officer of the House to vote from the place where he presides when it was decisive in the event it should be cast and he desired himself to cast it.

Mr. ALLGOOD. Suppose the gentleman remained back in the Hall of the House and had the opportunity to go through the tellers, but refused to go through, and then asked to have his vote recorded at the time the Chairman asked to have his vote recorded?

Mr. LEHLBACH. The gentleman being on the floor of the House had the opportunity to walk through the tellers, if he was there in his seat and attending to business. The Chair was precluded from doing that.

Mr. ALLGOOD. The Chair could have called the gentleman to the chair, could he not?

Mr. LEHLBACH. He does not have to. He was appointed by the Speaker to sit there and preside, and it is his duty to sit there, although by custom he occasionally for a few minutes leaves the chair. In order to vote he does not have to pass through the tellers, as the precedents show. The precedent read from Hinds' Precedents in 1904, even to the number of votes, was exactly the same as the occurrence here this afternoon. But, Mr. Chairman, the question goes much deeper than

that. The rules are made to enforce and to give form and substance to common sense. The distinguished gentleman from Ohio [Mr. Begg] was entitled to vote on this amendment. He exercised that right in the way that the precedents of the House show that he is entitled to exercise it, and because he did not mumble a certain sentence or because he did not walk six steps—and the rules do not demand that he shall—then to say that he is deprived of his suffrage as a Member of this House is inconceivable. Gentlemen on this occasion ought not to vote in accordance with their desire as to whether this amendment should be agreed to, but they ought to vote in accordance with what is fair and just, and positively and unquestionably right.

The CHAIRMAN. The Chair feels that it is only fair to make a statement as the Chair understands the conditions as they happened. On the vote by tellers after all present had passed between the tellers who cared to pass between them, and the tellers had reported to the Chair, the Chair made the statement—

On this vote the tellers report—ayes 79, noes 78. The Chair votes in the negative, making the vote a tie, and the amendment is, therefore, rejected.

To that announcement the gentleman from Texas made the point of order. The Chair overruled the point of order. The gentleman from Texas appealed from the decision of the Chair.

The question now is, Shall the decision of the Chair stand as the judgment of the committee.

The question was taken.

The CHAIRMAN. The Chair asks for a division on this.

The committee divided; and there were—ayes 113, noes 82.

So the decision of the Chair stood as the judgment of the committee.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin [Mr. COOPER].

The Clerk read as follows:

Amendment offered by Mr. COOPER of Wisconsin: On page 36, line 3, after the word "claims" add the following: *Provided*, That 50 per cent of the moneys appropriated or made available in this act for the United States Shipping Board Emergency Fleet Corporation for the conditioning or repair of vessels shall not be available except for the reconditioning or repair of such vessels at Government navy yards.

Mr. BLAND. Mr. Chairman, I make a point of order against the amendment.

Mr. BLANTON. Mr. Chairman, I make a point of order against the amendment, and I make the additional point of order it interferes with the discretion in the Executive.

Mr. COOPER of Wisconsin. Mr. Chairman, on February 4, 1925, Representative BLACK of New York offered the following amendment:

No part of the moneys appropriated or made available by this act shall be expended in any private shipyard.

Chairman TILSON, presiding, ruled that the amendment was in order. Now, what is the essential difference in principle between the amendment which I have submitted and the one which Chairman TILSON held in order? I will read again.

Mr. BLAND. Will the gentleman yield?

Mr. COOPER of Wisconsin (reading):

No part of the moneys appropriated or made available by this act shall be expended in any private shipyard.

Mr. BLAND. If the gentleman will yield on that point. Is the gentleman aware that when that amendment was offered it was first held by Chairman TILSON to be out of order, and then later he called Mr. BLACK over, the same afternoon or the next morning, and the Chair said he thought he was wrong and held it to be in order. The amendment was never discussed, and the points involved were never presented to the Chair. The amendment was immediately withdrawn by Mr. BLACK, and no consideration—

Mr. COOPER of Wisconsin. If the gentleman will permit me a moment. The gentleman says there was no consideration.

Mr. BLAND. Not of the amendment.

Mr. COOPER of Wisconsin. It is very evident that the distinguished gentleman from Connecticut [Mr. TILSON] had given it consideration. The gentleman from Virginia knows that the gentleman from Connecticut, after having given that amendment consideration for hours, decided that it was in order.

Mr. BLAND. Perhaps I should say no discussion.

Mr. COOPER of Wisconsin. When the Supreme Court renders a decision reversing one it had previously made it is the last utterance of the court which becomes the law—

Mr. BLAND. Perhaps I should say there was no discussion of the amendment.

Mr. COOPER of Wisconsin. It is evident that the distinguished parliamentarian from Connecticut discussed it in his own mind for a considerable time and agreed without question that it was in order.

Mr. BLAND. Such a discussion does not give opportunity to others to reply to what is passing in the gentleman's mind.

Mr. BLANTON. Mr. Chairman, would the Chairman submit to me to make a suggestion?

The CHAIRMAN. Has the gentleman from Wisconsin finished with his argument on the point of order?

Mr. COOPER of Wisconsin. I think so; for the present.

Mr. BLANTON. I want to make this suggestion to the Chair: To do what the amendment of the gentleman from Wisconsin would require the board to do would be to require them to make an investigation before they could carry out the purposes and intent of this amendment. It would have to carry out an investigation and hold hearings, and to that extent interfere with their discretion as executives; and it has been held many times when investigations have to be made it is subject to a point of order.

Mr. TILSON. Mr. Chairman, the distinguished gentleman from Wisconsin [Mr. COOPER] has referred to a decision made by myself when presiding as Chairman of the Committee of the Whole House on the state of the Union on February 4, 1925. I simply wish to read the amendment that was then presented and upon which I ruled. It is as follows:

No part of the moneys appropriated or made available by this act shall be expended in any private shipyard.

To my mind this is clearly a limitation. We can appropriate little, or much, or nothing at all for anything that we see fit, provided it is authorized by law. It would be in order because it would be a strict limitation where it simply says that no part of the funds herein appropriated or made available by this act shall be expended for certain purposes. Such is the character of the amendment upon which I, as the chairman, at that time ruled; and, it seems to me, that if I were ruling again I should rule the same way.

Mr. BLANTON. That is not the same amendment that we have now.

Mr. TILSON. I did not hear the reading of the pending amendment.

Mr. COOPER of Wisconsin. Mr. Chairman, will the Chair please have the Clerk read the pending amendment again? I would like to ask the gentleman from Connecticut how in principle—not in phraseology—it differs from the amendment which the gentleman from Connecticut ruled to be in order?

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The amendment was again read.

Mr. TILSON. Mr. Chairman, I can very easily distinguish between those two amendments. The one upon which I ruled is negative entirely in its character and simply provides that no money therein appropriated shall be available for certain purposes. On the other hand, this amendment provides that 50 per cent, as I recall it, shall not be available unless it be used so and so, specifying how it shall be used, which results in positive legislation. There is a clear distinction between the two.

Mr. BLACK of New York. Mr. Chairman, I can not see any distinction between the two amendments. The one on which the gentleman from Connecticut ruled is one which he has said is negative in character, but it was positive by implication. If the work is not done in a private navy yard, it must be done in a Government navy yard. The amendment which he ruled in order provided that this work could not be done in a private shipyard, and if that was in order, certainly an amendment providing that not more than one-half of it shall be done in a private shipyard is equally in order, with an amendment providing that none of the work shall be done in a private shipyard.

Mr. TILSON. If the gentleman wishes to say that none of this money shall be expended in a Government shipyard, that would be in order; but to say that none of it shall be expended unless it be expended, so-and-so, giving positive directions, then it is not in order.

The CHAIRMAN. The Chair, unless the gentleman from Wisconsin has something in addition which he wishes to offer to the Chair, would be glad to rule. Unfortunately, in deciding whether an amendment is in order or out of order, or whether an amendment is the same amendment as one that has been declared in order or out of order, he can take nothing of that kind into consideration in the reasoning of the Chair. This is a positive direction as to the disposition of 50 per cent

of the proceeds of this appropriation, and hence it is legislation, and the Chair will sustain the point of order.

Mr. COOPER of Wisconsin. Mr. Chairman, I wish to modify that, although I have not committed it to writing. The effect of it is that not more than 50 per cent of this appropriation shall be expended in a private shipyard.

Mr. BLAND. Mr. Chairman, I renew the point of order against that.

The CHAIRMAN. The gentleman from Wisconsin offers a modified amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. COOPER of Wisconsin: Page 36, line 3, after the word "claims" insert: "Provided, That not more than 50 per cent of the moneys appropriated or made available in this act for the United States Shipping Board Emergency Fleet Corporation for the reconditioning or repair of vessels shall be available for the reconditioning or repair of such vessels at private shipyards."

Mr. BLAND. Mr. Chairman, I renew the point of order I made on the former amendment.

The CHAIRMAN. The gentleman from Virginia [Mr. BLAND] makes the point of order on the modified amendment.

Mr. COOPER of Wisconsin. Mr. Chairman, I think that is but a limitation, a true limitation, decidedly on all fours with the principle of that amendment which was held to be in order by the gentleman from Connecticut [Mr. TILSON].

The CHAIRMAN. The Chair will rule. In the last amendment the gentleman provides that not more than 50 per cent of the total appropriation shall be expended in a private shipyard. The present occupant of the chair can see no legislation in that. It is entirely within the discretion of the committee to direct where it will be expended. The Chair therefore overrules the point of order.

Mr. COOPER of Wisconsin. Mr. Chairman and gentlemen of the committee, I desire to say a few words on my amendment, which is, I think, a very important one. The gentleman from New Jersey [Mr. EATON] said that he is strongly in favor of the retention of Government shipyards. So, also, am I, and I think that everyone who studies the subject of national defense must be of a like opinion as to the importance of retaining them. They should be retained and kept efficient. And the only way that they can be made really efficient is to have skilled operatives working in them. These operatives can not become skilled if all of the Government vessels are to be built or repaired in private yards. This amendment leaves 50 per cent of the appropriation to be expended for work on Government ships in private yards and 50 per cent for work on them in Government yards.

Mr. EATON. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. EATON. I would like to make a correction. Do I understand the gentleman to say that I was in favor of turning all this work over to Government yards?

Mr. COOPER of Wisconsin. I did not make that statement, nor a statement which could by any sort of construction be made to mean that. Nor did I say that all the work should be done in private yards. On the contrary, the amendment expressly provides that 50 per cent of it may be done in Government yards.

Mr. Chairman, there has been in the matter of building and of repairing Government vessels the grossest discrimination against the navy yards. I was a member of the select committee appointed in the spring of 1924 to investigate the affairs of the Shipping Board. The committee held very many hearings of witnesses, the first in March, 1924, and the last in February, 1925. I have here one volume of the report of those hearings. I heard Rear Admiral Charles P. Plunkett, of the United States Navy, testify. At that time he had for 45 years been in the Navy. He was then the commandant of the United States navy yard at New York City and one of the very foremost officers in the Navy—a man of great experience in naval engineering and construction work and an exceptionally fine witness. He was examined by the gentleman from Tennessee, Judge DAVIS. I will read some of the questions and answers:

Now, pursuant to that explicit legislative direction, they did give you an opportunity to make an estimate on it?

Admiral PLUNKETT. To make an estimate; yes.

Mr. DAVIS. And the bid of the Brooklyn Navy Yard on the reconditioning of the *Buchanan* was \$3,628,000, the work to be completed in 300 days, was it not?

Admiral PLUNKETT. Yes, sir. We made three bids on the ships, three conditions, 180 days, 240 days, and 300 days.

Mr. DAVIS. But the one to be completed in 300 days was what?

Admiral PLUNKETT. \$3,628,000.

Mr. DAVIS. And the bid of the Newport News Shipbuilding and Dry Dock Co. was \$3,990,000, to be completed in 335 days?

Admiral PLUNKETT. Yes, sir.

Mr. DAVIS. And the bid of the Tietjen & Lang Co. was \$4,292,937, to be completed in nine months?

Admiral PLUNKETT. Two hundred and seventy days.

Mr. DAVIS. Well, that is the same thing.

Admiral PLUNKETT. The Bethlehem bid, too, was \$4,347,650 and 95 days.

Mr. DAVIS. Now, that bid was awarded to the Newport News Shipbuilding & Dry Dock Co., whose bid was \$362,000 more than the Brooklyn Navy Yard bid, and required 35 days longer in which to complete it. Is that correct?

Admiral PLUNKETT. That is correct.

Now, listen, gentlemen:

There was nearly \$100,000 worth of scrap material in that ship, too, which became the property of the successful bidder.

Mr. DAVIS. Now, suppose that you had reconditioned her at the Brooklyn Navy Yard, what would have become of that salvaged material?

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask for five more minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Admiral PLUNKETT. That would have been turned into the Treasury Department as miscellaneous receipts?

Mr. DAVIS. In other words, it would have gone into the Government Treasury.

Admiral PLUNKETT. It would have gone into the Treasury; yes.

Mr. DAVIS. And would have been that much saving to the Government?

Admiral PLUNKETT. Yes, sir.

Mr. DAVIS. You say the Newport News Co. got all of that themselves?

Admiral PLUNKETT. Yes; under the terms of the specifications that became their property.

Mr. DAVIS. Now, that would have made a difference, then, of \$462,000?

Admiral PLUNKETT. Yes.

Mr. DAVIS. And 35 days longer within which to do it than your bid?

Admiral PLUNKETT. I think they were longer than that. I do not think they delivered the ship on time.

Mr. Chairman and gentlemen, I invite attention to Admiral Plunkett's testimony, sworn testimony, concerning a contract to repair another Government vessel:

Mr. DAVIS. Have you bid on any other ships less than the contract price and failed to get the contract?

Admiral PLUNKETT. Yes; I have got one right here. The *President Roosevelt* came in the other day, and you had to have some work done on her involving putting her in dry dock, and they called us up and told us what she had. It was just a case of calking some beams and driving some new rivets, putting the ship in dock.

Then he says that a private firm bid \$4,500, and that when they came to him, he said, "We will do it for \$1,500," and thereupon the private firm said, "Very well, we will do it for \$1,500."

Mr. DAVIS. In other words, they used the navy yard as a pry?

Admiral PLUNKETT. As a club.

Mr. DAVIS. In order to give the job to a concern that had tried to beat the Government out of \$3,000. Is that correct?

Admiral PLUNKETT. That is the way I look at it. We do not differ on that a bit.

Mr. DAVIS. What was that yard that they gave it to?

Admiral PLUNKETT. The Morse Dry Dock.

I do not wish to have the Government injure private shipyards, but I do protest against this scandalous method of discriminating against the Government and of injuring the navy yards. As a matter of self-defense, the Government ought not to be wholly dependent on private yards. This amendment ought to be adopted for it simply seeks to have some of this vitally important work done by the Government in order that it may always have an adequate number of skilled operatives in the navy yards.

Mr. BLAND. Mr. Chairman, in view of the statement that the gentleman has made with reference to the award of the *Buchanan* to the Newport News Shipbuilding & Dry Dock Co., I wish to call the attention of the House to the fact that this,

so far as the Newport News yard is concerned, was an *ex parte* hearing and that an opportunity for that yard to answer the allegations that were made by Admiral Plunkett was never afforded. They never had an opportunity to deny the statement that was made that there was \$100,000 of salvaged material turned over to them. I did take the matter up with the Newport News yard after their statement was made before this committee and they absolutely deny that the salvaged material approximated in any degree \$100,000. I think it was probably something like \$1,000; certainly not more than \$10,000. So that is the value that may be attached to this statement of Admiral Plunkett.

I wish to call the attention of this House to this fact, a fact that has been brought to the attention of the House by the gentleman from New Jersey [Mr. EATON]. The private yards of this country are facing death, and I do not make that statement extravagantly.

On the Pacific coast, I understand, they have been shut down to repair work. On the Atlantic coast they are being shut down, so that, as I understand, and I think I am reliably informed, there will be probably only two or three yards that will be engaged in construction work.

This House has endeavored in the appropriation bills, or rather in the authorization bills, for the construction of cruisers, to protect the navy yards by the insertion of a provision that no part of the money appropriated or made available in the act for the Navy of the United States shall be used for the construction of battleships in private yards where time and facilities will permit their construction in navy yards and where they can be constructed at a cost not appreciably greater than in private yards. In other words, the provision which has been attached to the authorization program for the Navy gives a decided advantage to the navy yards.

You are trying to build up a merchant marine. You are trying to get that merchant marine into private hands, and I ask this House whether at the same time you want to strike down your private yards. This is the question that is before you, this is the question that is confronting you, this is the question you are to decide here to-day.

Leave the Shipping Board to determine what work they will award the private yards and where it shall go.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. COOPER].

The question was taken; and on a division (demanded by Mr. COOPER of Wisconsin) there were—ayes 17, noes 67.

So the amendment was rejected.

The Clerk read as follows:

To enable the United States Shipping Board Emergency Fleet Corporation to make loans to purchasers of ships, and to operate ships or lines of ships which have been or may be taken back from purchasers by reason of competition or other methods employed by foreign ship owners or operators, there is hereby reappropriated the unexpended balance of the appropriation of \$10,000,000 made for similar purposes in the independent offices appropriation act for the fiscal year 1927: *Provided*, That no expenditures shall be made from this sum without the prior approval of the President of the United States.

Mr. DAVIS. Mr. Chairman, I make a point of order against the language in lines 5 and 6 on page 36, to wit, "To make loans to purchasers of ships, and," because it is legislation on an appropriation bill.

Mr. GARRETT of Tennessee. Mr. Chairman, I reserve a point of order on the proviso in the paragraph.

Mr. BLANTON. Mr. Chairman, I make a point of order on all of the paragraph, beginning with line 4 and ending in line 14 of page 36, because it contains legislation unauthorized in an appropriation bill.

MESSAGE FROM THE SENATE

The committee informally rose; and the Speaker resumed the chair, when a message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had agreed to the amendments of the House of Representatives to the amendments of the Senate Nos. 29 and 53 to the bill H. R. 15008, entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1928, and for other purposes."

INDEPENDENT OFFICES APPROPRIATION BILL

The committee resumed its session.

Mr. WOOD. Mr. Chairman, I believe this language is in order, and I wish to call the attention of the Chair to the merchant marine act, which contains the language making it in order; and I ask the Chair to bear in mind the purposes for which this act was enacted:

That it is necessary for the national defense and for the proper growth of its foreign and domestic commerce that the United States shall have a merchant marine of the best equipped and most suitable types of vessels sufficient to carry the greater portion of its commerce and serve as a naval or military auxiliary in time of war or national emergency, ultimately to be owned and operated privately by citizens of the United States; and it is hereby declared to be the policy of the United States to do whatever may be necessary to develop and encourage the maintenance of such a merchant marine, and in so far as may not be inconsistent with the express provisions of this act, the United States Shipping Board shall in the disposition of vessels and shipping property as hereinbefore provided, in the making of rules and regulations, and in the administration of the shipping laws, keep always in view this purpose and object as the primary end to be obtained.

With this authority the Shipping Board has the right, after having sold a line of vessels, to give temporary assistance, if it can be done with less cost to the Government. They can make a loan for the purpose of tiding the purchaser over. What is the purpose of this paragraph? It is for the purpose of carrying out the merchant marine act and enabling the merchant marine eventually to get into the hands of individual owners. There is nothing inconsistent in the language here proposed with the purpose of the merchant marine act. It is not inconsistent with the act that the board have the discretion to do these things.

If the Shipping Board, in the exercise of its judgment, is of the opinion that it should have this authority and should be authorized to use a part of this appropriation for the purpose of doing the things I have just stated, it is certainly in order. It would involve only a limited amount of money.

Again, I wish to impress upon the Chair that the object of the merchant marine act is ultimately to have the merchant marine owned and operated privately by citizens of the United States, and the language provides—

And it is hereby declared to be the policy of the United States to do whatever may be necessary to develop and encourage the maintenance of such a merchant marine.

What kind of a merchant marine?

One ultimately to be owned by the citizens of the United States.

Because there is no express provision in the law authorizing the board to do the thing which is embodied in this bill, it does not necessarily follow that they have not that right.

There is a general authorization given in the very paragraph I have read, and a good business man will recognize the necessity of doing the things proposed in this paragraph. I am told by a member of our committee, the gentleman from New York [Mr. CULLEN], that it is the practice in shipping circles where one or two ships are sold for the owners to advance money to the purchasers to tide them over difficult places. So in the exercise of the authority given under this paragraph of the organic act the Shipping Board should have authority to do the same thing.

The CHAIRMAN. Will the gentleman from Indiana permit the Chair to ask the gentleman this question: If section 751 (a), which the gentleman has read, contained all the legislation—if there was no other legislation at all—does the gentleman contend that that particular section would authorize the Shipping Board to buy and sell the ships?

Mr. WOOD. No; it would not, because there is an express paragraph dealing with that subject.

The CHAIRMAN. The Chair wants the gentleman to understand his question—were there no other legislation except clause 751 (a), does the gentleman contend that the Shipping Board could buy and sell ships?

Mr. WOOD. I think under the paragraph cited the board could sell ships, carrying out the policy of the act in getting them into the hands of private ownership. Whether they can build ships or not raises another question. Clearly they would have the right to sell, and it has been emphasized time and time again that the primary purpose of the act is to build a merchant marine ultimately to be in the hands of private ownership.

Mr. BLANTON. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. BLANTON. We gave them specific legislative authority to make construction loans, and if the legislative committee had wanted to give them the authority to make other loans they would have so stipulated.

Mr. WOOD. They would not necessarily have so stipulated. The act gives the board authority to make construction loans, and what was the purpose of that? The board could not build ships out of that fund. The best they could do was to

loan the money to some individual in an amount equal to two-thirds of the cost of the ships constructed. The present question is upon a different proposition and I think comes within the purview of the organic act to enable the board ultimately to put these ships in the hands of private ownership.

Mr. DAVIS. Mr. Chairman, I am surprised that the gentleman should seriously make any such contention. If you can appropriate money for this purpose, you can appropriate money for them to do anything else looking to a merchant marine and getting it into the hands of private citizens.

I think that the provision which authorizes them to operate lines of ships which may be taken back from the purchaser is in order, because the act of 1920 specifically authorizes the Shipping Board and the Emergency Fleet Corporation to operate ships whether they were constructed through their instrumentality or purchased or otherwise acquired.

The fact that they were sold and turned back would not alter the situation. The fact is that they can use the regular appropriation for that purpose and have done so in regard to numerous ships that have been sold and taken back, but the language to which I have made the point of order is an entirely different matter.

As already stated, there is created in the merchant marine act what is known as the construction loan fund, which is in section 11 of the original act and which was amended by what is known as the Dieselization act, which authorizes loans for motorizing and reconditioning ships. It is provided that when such loans are made a mortgage must be taken and a certain rate of interest shall be charged, and there are various other restrictions thrown around the loans. However, such loans can only be made for ship construction and have no relation to ship operation.

But here, without any previous authority or legislation, an effort is made to make loans to purchasers of ships, not for construction or reconditioning but to the purchasers of ships—to make loans without any conditions or restrictions whatever. Under this provision the Shipping Board could lend to one concern all of the \$10,000,000 without any interest, for any period of time, and without any security.

I call the attention of the Chair to page 703 of the hearings, at which place he will see where this provision originated. This provision originated from a suggestion of Commissioner O'Connor. He said:

If the law could be changed in some way—

It will be seen by the Chair that he refers to it himself as a change of law. Then the question was asked by Mr. Wood:

Could you not do that under your loan fund?

Commissioner O'CONNOR. No, sir; the law does not permit us to do it, as we have a big mortgage on the boats and they would not have anything to give us as security for the loan. My idea was if we could assist that man who was operating these vessels—it might be called a subsidy or something—by giving that man \$150,000 for legitimate expenses of the line, to meet a loss, instead of taking the line back and operating it ourselves, we could save, as I said before, the loss of millions of dollars.

The CHAIRMAN. The Chair does not care to interfere with the argument of the gentleman from Tennessee, but the Chair advises the gentleman that he is ready to rule.

Mr. DAVIS. I do not care to take any further time.

The CHAIRMAN. The Chair will decide the point of order made by the gentleman from Texas [Mr. BLANTON] to the whole paragraph. Section 751, Barnes Code, is cited by the gentleman from Indiana [Mr. Wood] as a basis for writing the language into the appropriation bill authorizing the Fleet Corporation to make loans, and that language is as follows:

It is hereby declared to be the policy of the United States to do whatever may be necessary to develop and encourage the maintenance of such a merchant marine.

If a declaration of policy were law, of course that would be a fact; but if the Congress when it passed the merchant marine act had intended to carry with the declaration of policy the authority to do anything and everything within the judgment of the Emergency Fleet Corporation, then, in the judgment of the Chair, the Congress would not have immediately followed the declaration of policy by an enumeration of powers that the Emergency Fleet Corporation could exercise, to wit, to buy and sell, and the restriction that when they do sell they must sell the good vessels to American citizens, and can sell only the poor vessels to foreign citizens, and also the establishment of lines of commerce and loaning for the purpose of reconstruction for a period of 15 years. If this language is not legislation and is written into the law, then they can make a loan for 100 years, and by that loan defeat the purpose of Congress when it provides that when a ship is sold the Government must have

received complete payment for the ship within a period of 15 years.

It appears to the Chair that if the Shipping Board were to sell a vessel to A and receive 50 per cent in cash and 50 per cent payable in 15 years, the only thing necessary for A to do in order to defeat the law would be to go to the same Shipping Board and borrow the 50 per cent he owes the Shipping Board for 100 years, and he would thereby postpone the payment of the 50 per cent for a period of 50 years, which is contrary to law.

Mr. WOOD. Mr. Chairman, would the Chair permit a suggestion?

The CHAIRMAN. Certainly.

Mr. WOOD. How does the Chair reconcile that logic with the welfare clause of the Constitution of the United States and the enumeration of some 20 or 30 different restrictions upon the power of Congress? More than three-fourths of all of the constitutional questions that go to the Supreme Court are based upon the general-welfare clause.

The CHAIRMAN. The Chair is not ruling upon the constitutionality of the right granted to the Shipping Board to make a loan. He is ruling upon the question of whether or not it is in order on an appropriation bill to pass legislation granting the authority to the Shipping Board. The Chair sees that distinction. The Chair could go on indefinitely, but in order to be brief will cite not only section 751, cited by the chairman of the subcommittee, but also sections 737, 738, 741, 743, all tending to grant specific powers to this board and enumerating them, as well as some prohibitions.

It seems to the Chair that the declaration of policy does not permit the board to loan or authorize appropriations making available money for loans by this agency. The Chair, therefore, sustains the point of order to the paragraph. That disposes of the other two points of order. The Clerk will read.

The Clerk read as follows:

That portion of the special claims appropriation, contained in the independent offices appropriation act for the fiscal year 1923, committed prior to July 1, 1923, and remaining unexpended on June 30, 1927, shall continue available until June 30, 1928, for the same purposes and under the same conditions.

Mr. BLACK of New York. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment by Mr. BLACK of New York: Page 36, in line 20, after the word "conditions," add the following: "Provided, That no part of the moneys appropriated or made available in this act for the United States Shipping Board Emergency Fleet Corporation, shall be expended within the continental limits of the United States in the reconditioning or repair of any vessel, or the machinery of such vessel for the employment of workmen other than citizens of the United States."

Mr. WOOD. Mr. Chairman, I make the point of order that the amendment is not germane and that it is legislation and has all of the defects that you could put into an amendment.

Mr. Chairman, does the gentleman from New York desire to speak?

Mr. BLACK of New York. I want to discuss the point of order. I had to straighten out your committee on several other occasions on the parliamentary situation.

Mr. WOOD. Mr. Chairman, I move that the committee do now rise. We can discuss this to-morrow morning.

The CHAIRMAN. The gentleman from Indiana moves the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BEGG, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15939 and had come to no resolution thereon.

COMMITTEE ON ENROLLED BILLS

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that this day they presented to the President of the United States, for his approval, the following bills:

H. R. 11515. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the city of Minneapolis the silver service set in use on the cruiser *Minneapolis*;

H. R. 13016. An act granting the consent of Congress to the city of Chicago to construct a bridge across the Calumet River at or near One hundred and sixth Street, in the city of Chicago, county of Cook, State of Illinois;

H. R. 13067. An act granting the consent of Congress to the State of Montana, or Roosevelt County, or McCone County, in the State of Montana, or either or several of them, to construct,

maintain, and operate a bridge across the Missouri River at or near Wolf Point, Mont.;

H. R. 14239. An act granting the consent of Congress to Meridian & Bigbee River Railway Co. to construct, maintain, and operate a railroad bridge across the Tombigbee River at or near Naheola, Ala.; and

H. R. 14688. An act granting the consent of Congress for the construction of a bridge across the Waccamaw River in South Carolina.

STATEMENT OF HON. CHARLES R. CRISP, BEFORE THE COMMITTEE ON AGRICULTURE

Mr. VINSON of Georgia. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting a very able analysis of the Crisp-Curtis bill made by the gentleman from Georgia [Mr. CRISP] before the Committee on Agriculture.

The SPEAKER. Is there objection to the request of the gentleman from Georgia? [After a pause.] The Chair hears none.

Mr. VINSON of Georgia. Mr. Speaker, under the permission granted me to extend my remarks I insert a statement of Hon. CHARLES R. CRISP on the bill (H. R. 15963) entitled "A bill to establish a Federal farm board in the Department of Agriculture, to aid the industry of agriculture to organize effectively for the orderly marketing and for the control and disposition of the surplus of agricultural commodities."

The statement is as follows:

SURPLUS OF AGRICULTURAL COMMODITIES

Mr. CRISP. Mr. Chairman and gentlemen of the committee, I thank you sincerely for the courtesy which you have extended me in allowing me to appear before you to discuss the bill I introduced on the 6th providing for agricultural relief. Now, at the outset, permit me to say I do not claim to be an expert on agricultural legislative matters. I am sure each member of this committee knows more about the subject than I. I did not inject myself in an attempt to get legislation for any personal notoriety or publicity, for I, like every member of this committee and every Member of the House, am sincerely and earnestly interested in getting some legislation through this session of Congress to aid the deplorable agricultural situation. My heart bleeds for the farmers of the country. When Congress met in December certain influential friends in the House and some friends outside of the House and some friends who are active in the agricultural cooperative associations came to me and asked if I would collaborate with them in an effort to draw a bipartisan farm relief bill that might stand some chance of getting through this Congress and becoming a law before March 4. I expressed to them my unalterable opposition to an equalization tax or the application of the tariff yardstick in fixing prices, but stated that if these two features were eliminated I would gladly cooperate; that, if it was their desire, I would introduce the bill in the House, but would prefer that somebody else do it; and that I was perfectly willing to cooperate and go along if some other friend introduced the bill. I believe this to be a vital national, and not a political question. My suggestion met with approval, but friends insisted that I introduce the bill. Therefore I began collaborating with them to see if we could get a compromise bill which was practical and which would afford relief and which might prove a measure upon which all friends sincerely interested in agricultural relief might unite and concentrate their efforts to enact it into law. Now, on yesterday my able, sincere, distinguished, and beloved friend Doctor ASWELL, in commencing his statement before the committee, stated that his bill was written by himself, and was not written in one of the departments and sent down to be stamped a bipartisan bill. I know that his statement is true; I think he has a splendid bill; and, if this committee should report it out, I will gladly vote for it. I trust the committee will believe me equally sincere when I say that the bill I introduced was not written in the Department of Agriculture or any other department.

The bill was written in this House Office Building. The first draft of it was written before the Christmas holidays and I carried a copy of it home with me. Since the holidays two or three other drafts of it have been prepared, and the last and corrected draft was approved on the night of January 5. I introduced it in the House upon convening at 12 o'clock on January 6. Before the introduction of the bill I had never seen the Secretary of Agriculture on the subject, nor conferred with him or any other employee of that department. About 3 o'clock of the afternoon the bill was introduced the private secretary of the Secretary of Agriculture phoned my office and stated that the Secretary had heard I had introduced a bill and would like to have a copy of it if I had one. I advised him I had one carbon copy of the bill, that I had introduced the original in the House that day, and it had gone to the Printing Office, but, if he desired the carbon copy and would send a messenger to my office, I would send it to him. He did send the messenger, and I sent him the carbon copy of the bill, which was the first time anybody in the Department of Agriculture had ever seen it. On Friday afternoon, January 7, at 4.30, I went

to see the Secretary of Agriculture to discuss the bill with him. He advised me that the department was interested in the measure and was examining it, but he had not considered it sufficiently to determine whether or not the department would indorse it. I requested a careful study of it, and expressed the hope that the department could favor it, for I could not help but believe that the indorsement of the Agricultural Department of any agricultural relief measure would be persuasive with this great committee. The Secretary advised me in the conversation that he had never talked to Senator CURTIS about the bill. Now, I would not be entirely frank if I did not say that I think the Secretary of Agriculture had knowledge that I was collaborating with other gentlemen in trying to prepare a bipartisan farm relief bill. Now, Mr. Chairman, I don't claim sole authorship of the bill, nor to be the originator of the many splendid ideas embraced in it. It is a composite bill. It is a bill collaborating into one whole many of the provisions of your bill, of the Fess-Tincher bill, and of the bill prepared by Mr. Drummond, of Kansas City. May I not say that, in my judgment, Mr. Drummond's bill is a splendid one, and I would gladly vote for it if reported by the committee, just as I would for Doctor ASWELL's bill? The bill also contains some ideas advanced by ex-Governor Lowden in his agricultural addresses, and, of course, it has much new matter in it.

According to those who prepared it, it contains the best features of all these bills and eliminates the objectionable and controversial features. Gentlemen, if we are, like Ephraim, wedded to our particular idols, there is no chance of getting legislative relief for the agricultural interests of our country. If we take the position that, unless we can get our bill, we will support no bill, nothing will be done. Shall we continue to fiddle while Rome burns and the farmers are going into bankruptcy and suffering economic distress? God forbid. I sincerely hope that the bill I have introduced may be a basis upon which this splendid committee can work out a bill on which all can compromise their differences and get something through this session of Congress, and this sincere hope was the only motive that actuated me in entering into an arrangement to prepare and present a bipartisan bill. If this able committee should decide not to report a bill with an equalization fee, can you not take this bill, amend it as you desire, agree upon something, and then let your beloved chairman, if agreeable to him, reintroduce the bill in the House and let it come out as the Haugen bill, and let him have charge of it on the floor of the House? I will agree, if it is the desire of the committee, to sit in the background and vote for it and not open my mouth on the floor of the House. I have no desire for personal publicity or notoriety, but I do, from the depths of my soul, desire that some legislation be passed during this session of Congress that will aid the situation. I am convinced that you can not pass through Congress a bill containing an equalization fee. Personally I can not vote for the equalization tax, because I believe, in the first place, it is unconstitutional, and I am sworn to observe the Constitution in the performance of my legislative duties. I have given this question earnest consideration, and, as a lawyer, I am clearly of the opinion that the provision will not meet the test of the court, but that any self-respecting court will promptly declare it unconstitutional.

I am confident of my position being reinforced by the opinion of outstanding lawyers of the Nation. The Hon. HENRY ST. GEORGE TUCKER, a distinguished Virginian, a son of a distinguished sire, himself an authority on the Constitution and the author of several works on the Constitution used as textbooks, has expressed to me that, in his opinion, the equalization tax is unconstitutional. The Hon. GEORGE GRAHAM, of Philadelphia, the distinguished chairman of the House Judiciary Committee, a man of great character and great legal ability and possessing the wisdom and knowledge of the law generally attributed to the proverbial "Philadelphia lawyer," also authorizes me to quote him as saying the tax is unconstitutional. Another great Virginian, the Hon. WALTON MOORE, recognized as one of the ablest lawyers and most conscientious Representatives in Congress, has informed me that he has given this question close and careful consideration and that he is thoroughly convinced that the tax is unconstitutional and that he expects to make a speech on the floor of the House discussing it. Hon. THEOPHORE BURTON, of Ohio, one of the outstanding statesmen of the House, a man long in public life, recognized by all as a profound lawyer and legislator, also authorizes me to quote him as saying that the equalization tax is clearly unconstitutional. Representative BURTON, on the floor of the House, made an able argument pointing out wherein the tax was unconstitutional. Oh, gentlemen, how can anyone question that the matter presents at least a very serious question as to the constitutionality of the tax? I have not seen where the proponents of the tax have quoted any recognized legal authority expressing the view that the tax is constitutional. Under these conditions, how can sincere friends of agricultural relief elect to pass a relief measure about the constitutionality of which there is grave doubt, when they can pass a sane, economic, and practical measure that will afford relief and the constitutionality of which is beyond cavil?

In the second place, I don't believe it is just, fair, equitable, or right to the farmers to tax them alone to carry on their business when the Government has so liberally extended economic aid both abroad

and at home. After the armistice the United States Government loaned billions of dollars to Europe to aid in restoring devastated areas and to rehabilitate agriculture and aid economic conditions, these loans resulting in great loss to the American taxpayers. Surely American farmers have a prior claim on the Treasury. The Government has extended to the railroads, through the rate-fixing power, a guarantee of reasonable return on the capital invested; and, in addition, when they were in a distressed economic condition, the Government loaned them, through the Finance Corporation, approximately \$400,000,000. The Government guarantees to public service corporations, through rate-fixing powers, a reasonable return on the capital. The Government aids the labor organizations to insure them a living wage by setting up a board to adjust wage disputes between them and their employers. The Government has appropriated from the Treasury as a deficit or subsidy hundreds of millions of dollars to the Emergency Fleet Corporation. The efficient clerk of the Appropriations Committee, Mr. Shields, advised me that the Government has appropriated from 1921 to 1926, inclusive, the sum of \$238,157,582.18 to cover a deficit or loss sustained by the Emergency Fleet Corporation during this period. This bill for the agricultural interests of the whole Nation only authorizes the appropriation of \$250,000,000 to be loaned to the Farm Board, the amount to be repaid to the Treasury. Let me add that the Government has aided industrial and commercial centers by establishing the Federal reserve system, which provides them money, fixes the rate of interest, and controls the cost of money to the banks and borrowers.

Mr. FULMER. Will you allow me to interrupt for a question right there?

Mr. CRISP. All right.

Mr. FULMER. Isn't it a fact that the members of the Federal reserve system put up the money out of their own funds to create this organization for the purpose of loaning money back to the members and to other banks?

Mr. CRISP. Yes; they put up a part of the original capital.

Mr. FULMER. And they carried a reserve of 7 per cent and 3 per cent behind their deposits, which amounts now to about \$2,000,000,000—

Mr. CRISP. The bill which I have introduced also provides for a reserve, and I will get to that. In view of the offices that the Government has performed for all these other industries I think the Government should bear the burden of rendering financial assistance to the great basic industry of agriculture.

Now, gentlemen, I can not conceive how anyone would believe that the farmers would prefer to have themselves taxed to furnish this money to put a bill in operation for their relief rather than have the General Government furnish the initial capital. I do not believe that they do, notwithstanding what some gentlemen, actuated by the purest motives, representing the farm organizations, contend. If you will put it to a vote of the farmers whether they desire to be taxed to carry on this scheme or whether they desire the Federal Government to furnish the initial capital to carry it on, I have no doubt that 95 per cent will vote against the tax equalization fee.

The CHAIRMAN. I would like to call your attention to the 1925 production, on the basis of the equalization fee being applied. The amount to the farmer in wheat would have been three hundred and eighteen millions, barley one hundred and twenty-three millions, bacon five hundred and twenty-three millions, lard forty-four millions, beef three hundred and thirty-two millions, a total of a billion three hundred and forty-two millions. Do you consider that an excessive tax?

Mr. CRISP. I don't know, but I say when the Government has done all these other things—

The CHAIRMAN. Oh, well, let's get this tax proposition cleared up.

Mr. CRISP. I may be wrong, but I do not believe it to be constitutional. But if the bill had been in effect which would have produced these beneficent results that you have just recited, if the Government had furnished the initial capital these same results would have followed to the farmer and he would have been benefited without paying the burden of the tax. For the reasons that I have stated, when the Government does this for other industries in the United States, it is nothing but just that they should do it for the farmers.

Mr. FULMER. Just to keep the record straight, didn't we have in the bill last year \$75,000,000, without interest, for the benefit of cotton?

Mr. CRISP. To be perfectly frank they put that in as a sop, to get Southern votes, and it did get some of them.

Mr. FULMER. I think you make a misstatement there, because we did have \$75,000,000 for two years without any interest and not subject to any loss.

Mr. KINCHLOE. In order to carry out the proposition they postponed levying the equalization fee for two years.

Mr. FULMER. But it was left to the farmers to say whether or not they would pay it in two years.

Mr. ADKINS. Your bill sets up practically the same administrative machinery that the Haugen bill does—

Mr. CRISP. I was just coming to that. In certain ways, yes and no. I wanted to make that preliminary statement to show my attitude to the committee, and it was done with the hope that we might

get together. Now, this bill is a bill which seeks to let the great agricultural industry manage its own business and to keep the Government out of it as much as possible. I, for one, am not very favorable to the idea of the Government running private business. I want private business to manage its own affairs. Now this bill provides—which is different from the Haugen bill—for the creation of a farm board in the Department of Agriculture, with the Secretary of Agriculture chairman, and one member from each of the 12 Federal land districts, and not more than six members to be affiliated with any political party. It pays each a salary of \$10,000 a year, with traveling expenses and a per diem allowance when away from Washington in the performance of their duties.

Mr. ASWELL. Why do you put it under the Department of Agriculture?

Mr. CRISP. I thought, where the Government had created the great Department of Agriculture with the responsibility of looking after agricultural interest, it was advisable to have it under the Department of Agriculture rather than to establish a new bureau and to consolidate the Government activities in relation to agriculture in one bureau. Sections 3, 4, 5, and 6 are the Haugen bill. Section 7 is new. That section—the one defining how the board shall act—is based very largely on suggestions thrown out by ex-Governor Lowden in his addresses as to when, in his judgment, the Government should come to the aid of agriculture; to wit, "Immediately upon its organization the board, upon request of any cooperative marketing association, or upon its own motion, may investigate the conditions surrounding the marketing of any agricultural commodity produced in the United States and determine:

"One. Does a surplus above the world requirements of any such commodity exist or threaten to exist;

"Two. Does the existence or threat of such surplus depress or threaten to depress the price of such commodity below the cost of production with a reasonable profit to the efficient producers thereof;

"Three. Are the conditions of durability, preparation, processing, preserving, and marketing of such commodity, or the products therefrom, adaptable to the storage or future disposal of such commodity?"

Those were the three tests outlined by Governor Lowden as to when the Government should aid. They are incorporated in this bill. There are also some new matters. When you come to sections 8 and 9, they are very largely from the Drummond bill. There are some changes that were necessary, but the basic idea, so far as I know, was thought out in the splendid bill prepared by Mr. Drummond. Then, when you come down to sections 14 and 15, they are from the Haugen, Aswell, and Fess-Tincher bills. Now, as I have said, gentlemen, this is a bill in which we have drafted what we considered the best provisions of all of these bills, eliminating the bad provisions—but I should perhaps use a better word and say the controverted provisions. It was drafted with the hope that there was so much good in these different provisions that this splendid committee could harmonize on this bill with some amendments and changes, and get it passed through Congress. Now, gentlemen, if you want legislation, you have got to compromise. We are all practical and we all know it. Now what do you prefer to do, continue to talk and wrangle and disagree respecting our respective bills and get nowhere, or to do what you always have to do when you get legislation, and that is compromise, and get a bill passed? That is why I am here to ask you and urge upon you that policy.

Now, let me tell you briefly what the bill provides. It creates a farm board. Then it authorizes the appointment of an advisory council, just as the Haugen bill does. It provides that this board is a court or forum open to all agriculture; it does not discriminate and make certain agricultural products the beneficiaries of the act and exclude others, but it gives to every man his day in court. It is open to all. Whenever any agricultural product—cranberries, tobacco, rice, cotton, cottonseed, nuts, or any other commodity that is a staple, nonperishable commodity and can be handled—is suffering distress, they have a forum where they can go for relief, and if they can make out a case, then they can appear before this farm board, prove their situation and if, in the judgment of a majority of that board of 12, they have made out a case, then they can apply the benefits of this act to their history. Now, I think we all agree that the economic conditions of all agricultural products are not always the same. There may be an emergency one year as to one commodity and not as to another. Therefore, the only reasonable and practicable way to deal with it is to deal with each kindred commodity under one corporation. For instance, there should be a cotton corporation, a wheat corporation, a swine corporation, and a corporation to deal with each respective commodity. Now, when an emergency exists, those who are interested, the cooperatives, or the board on its own motion, may investigate and see if an emergency exists and that the products are selling below the cost of production. If it decides in the affirmative, then the bill authorizes the establishment of a holding corporation for that commodity. The bill seeks to keep the Government out of business.

Mr. ADKINS. Who finances the holding corporation?

Mr. CRISP. I am coming right to that. It provides that the corporation can be organized under the laws of any State by any one cooperative

marketing association dealing in that product, or any two or more cooperative organizations dealing in that commodity. They can organize with a nominal capital in any State, a nominal capital of \$1,000 is sufficient, and they can organize this holding corporation and issue stock. After it is organized, if any other cooperative desires to come in and become a stockholder the farm board has the power to permit it to come in and become a stockholder with equal rights. The bill provides that the stock is nonalienable to outsiders, so as to insure that the stockholders of the holding corporation, which is managing the business, shall be representative of the farmers. Then when the corporation is organized the board is authorized to advance money out of the revolving fund to perfect the organization and, when it is organized, then the board shall declare that an emergency exists as to that commodity and shall publicly declare to the world that this Government agency, the farm board, has decided that an emergency exists as to that commodity and that the board is ready to advance the holding corporation money out of this revolving fund to go into the market and buy and hold the surplus commodity.

Mr. ADKINS. To give them the money or to loan it to them?

Mr. CRISP. It is a loan, and the Government has a lien on the commodity to secure repayment. Call it a subsidy, if you want to. Call it paternalism, if you want to. I think, in view of what I have said before, that the Government owes it to agriculture to give it a chance to organize.

Mr. KINCHELOE. The Haugen bill, under its provision for a revolving fund, provides the same thing—

Mr. CRISP. I do not want to get into any argument about it. I am trying to be a harmonizer here. I do not want to get into any controversy.

Mr. ADKINS. Go ahead, Mr. Crisp.

Mr. CRISP. They are to advance the money out of that fund for the purpose of going into the market and buying that commodity at the market price. The Government has a lien on the commodity that the corporation buys, at an interest rate equal to 1 per cent over the price that the United States Treasury has paid in interest for the last money it has borrowed. Then, when they have bought a lot of this commodity—I will say cotton, because I am more familiar with cotton than I am with anything else—when they have bought a lot of the cotton, they can then use that cotton as collateral to borrow additional money from private sources, unless the board disapproves of the policy.

The Government will waive its first lien, and they will have the commodity to go into the market and borrow money, and the bill provides that when, in the opinion of the board, they can obtain money from private sources at a reasonable rate the Government shall cease to make these loans. Now, gentlemen, there is this limitation: This board can only lend out of the revolving fund money to purchase a commodity and store it when the board has decided that the commodity is selling below the cost of production to an efficient producer and when the acreage of that crop in the year succeeding the emergency year has not been increased over the acreage of the emergency year. Now, there is a check on overproduction. The only way, in my judgment, that the National Government can exert an influence in reducing production is through financial aid. We have a dual form of government. The Federal Government can not say to my people in my State, intrastate, what they shall do. The American farmer is not like the Egyptian peon or the rubber producers. When the British Government says to them they shall not plant more than a certain amount they do not. You try that with the American farmer, who is the backbone of the country, and then whom we have no citizen of higher character and intellect—if you say to him, "Thou shalt not," you will not get very far. In my judgment the only way that you can exercise a restraining influence on production is through financial aid, and the bill that I have introduced contains a provision to cover that. This bill does not provide for the Government to just go in and buy and hold products and inflate prices sky-high. I think we all agree that the greatest boon we could give to agriculture would be the stabilization of prices within reasonable bounds, and it would not only be a boon to the producers of agricultural products but it would be a boon to the possessors of agricultural products. In the case of cotton it would mean much to the cotton producer, much to the cotton spinner, and it will hamstring and very seriously interfere with the stock exchanges. I expect the New York and New Orleans cotton exchanges will be very much opposed to this bill, for if it is enacted into law it will bring down within a narrower margin the speculative opportunities. Large opportunities for speculation induce and encourage gambling on the exchanges. When it is known that the Government will furnish aid to buy a commodity that is selling below the cost of production to efficient producers, the bears will not try to run it down below that. I might say right here that the splendid address the gentleman from New Jersey [Mr. FORT] made last night absolutely squares with the provisions of my bill.

When I say my bill, do not understand me to say that I am the originator. I mean the bill I introduced. I do not claim pride of authorship. I do not want it. But his address absolutely squares with it. That is all the bill does; it does not fix any maximum price and it is not a price-fixing scheme. It allows the law of supply

and demand to operate, with a limitation that the efficient producer shall at least have a reasonable profit over the cost of production, whatever the price may be. Now, if there is a bumper crop, and an emergency exists and the product is selling below the cost of production, they will go in and buy sufficient of it to put it up to the cost of production and carry over the surplus. The next year, if there is a normal crop, a crop that the world needs, the Government, through the board and holding corporation, will not function; they will not lend money out of this revolving fund, because if it is a normal crop it will be selling under the law of supply and demand at a price above the cost of production. Therefore, the Government will not finance it and the law of supply and demand would be left to fix the price at whatever that law determined was right. Then this bill, Mr. Chairman, seeks to protect the consumer and the user of these raw materials to the extent that if there is a very short crop, if there is not available a carry-over surplus, the price may be sky-rocketed, and the bill provides that when the price is above a reasonable profit over the cost of production, that this corporation then shall feed the surplus of this commodity to the trade, and that would make money for the corporation. The law of supply and demand would be curtailed or interfered with in fixing prices on a very short crop only to the extent that the carried-over surplus thrown on the market might make up the deficit and reduce the price to that extent. But in case of a very short crop, even if the surplus is fed to the market, the price of cotton would still go up higher.

Now, gentlemen, in my judgment the Government will sustain no losses under the provisions of this bill. The initial \$250,000,000 fund will care for it. The bill gives the farm board authority to supervise the operation of these holding corporations and authority to supervise the cooperative associations that form the corporations, which will insure efficient management and no unnecessary burdensome overhead charges. That is the complaint which has been lodged against many—I won't say many—but some of the cooperative associations.

The Government exercises that function over the intermediate credit banks, the rural credit banks, and the commercial banks in cities, by bank examiners, and where the Government has furnished the capital it should have that power over the cooperations and mother cooperatives. Now, it has been stated that you can not get the farmers to organize into cooperatives. I agree with that. Unfortunately a very small percentage of the producers have entered into the cooperatives. But, Mr. Chairman, if this bill is enacted into law a very small percentage of the farmers can organize and do the work under Government sanction, whereas under present existing conditions a limited number can not do it and become effective. No burden is attached to that limited number that would organize under the provisions of this bill, but there may be very substantial benefits accruing to them. A corporation can be organized with a nominal capital, and when they function, they will make money in my judgment. I know that they will in cotton. I know if this bill is a law that within 30 days cotton will be 3 to 4 cents a pound higher than it is to-day. I am absolutely certain of that. I think that would also apply to other products, although I confess that I am not so familiar with other agricultural products. I know it will do the work for cotton and they will make money.

Mr. ADKINS. If it will make money then you would not need an equalization fee?

Mr. CRISP. I have expressed several times my objection to an equalization fee. I can add nothing to that. I have already said that I think it is unconstitutional, unjust, and unnecessary.

Mr. TINSCHER. With regard to the equalization fee, it can not have very much effect now, except what political effect it may have—

Mr. CRISP. I do not want to get into any controversy over this. I am trying to be a peacemaker, and not to make trouble here—"Blessed are the peacemakers!"

Mr. TINSCHER. You don't have to bring trouble here.

Mr. CRISP. One cooperative organization can organize a corporation under the bill.

Mr. ADKINS. Why do you think that the cooperatives would undertake this burden?

Mr. CRISP. I do not think it is much of a burden. I think, for instance, that the Texas Cooperative Association alone would organize for the benefit of their people. I know the Georgia one would.

Mr. ADKINS. But couldn't they borrow through the intermediate credit banks now?

Mr. CRISP. No.

Mr. ADKINS. On commodities?

Mr. CRISP. They can borrow a certain percentage, between 70 and 80 per cent of the market value, and pay interest and storage. This bill allows them to go in and buy the commodity at a hundred per cent value and store it, and we all know that will increase the price. Then they will be able to use that for the purpose of borrowing more money. Now, when one or two cooperatives come in and organize one of these holding corporations for any basic agricultural commodity, that organization then will become permanent. It is continued indefinitely. It only functions when an emergency exists, but it is in being ready to operate at any moment, and the bill provides that of any profit that

may be made by holding corporations, a reasonable per cent shall be set apart as a reserve for the corporations to furnish the capital to take care of future operations and to provide for future losses, and the rest of the profit shall be paid into the cooperative marketing associations that organized the holding corporations; it is turned over to them with the mandatory provision and condition that they shall distribute it ratably to their members marketing their products through that corporation. It gives to those cooperative marketing associations which are willing to go to the slight trouble of organizing a corporation with nominal capital with no financial liability on their part, for the benefit of their people, the very strong probability of making a profit out of the transaction for their members. It will be an inducement to get others to join. Now, I am going to anticipate probably what my good friend from Illinois is thinking, and that is, why would these cooperatives go in and organize a corporation when they may sustain a financial loss? The bill takes care of that. The bill says that if there should be losses in the operation of this corporation the Government shall bear the loss. It provides that the losses shall be paid out of any surplus that the corporation might build up out of future profits of the corporation, but expressly says that there shall be no assessment or liability levied against the stockholders of that corporation or of the cooperative marketing associations that form it, but that the Government shall take the loss.

Mr. FULMER. But under your bill the corporation will take the loss because you have set aside a certain amount for that very purpose, to be prorated against the members—

Mr. CRISP. I do not understand that, Mr. Fulmer. I know it is my own obtuseness, but I do not understand it.

Mr. FULMER. In section 13, on page 12, you set aside a certain amount.

Mr. CRISP. I have already said that a certain part of it should be set aside for a reserve for the corporation for future operations, and anything over that is to be paid to the cooperative associations, to be distributed. I think I stated that.

Mr. FULMER. Any loss would come out of that, of course?

Mr. CRISP. No; it would not. They haven't put in anything. That is cared for without their having put up anything if that contingency arises. What they do receive will be a gratuity.

Mr. JONES. Suppose one of the cooperatives organizes a corporation with a nominal capital stock, a small capital stock, and is there any limit in the bill as to the amount of money that may be loaned to that corporation?

Mr. CRISP. No; the bill authorizes that when the farm board has stated that an emergency exists and one of these corporations is organized, it is authorized to lend it the money necessary to go into the market to buy sufficient of the surplus to hold it, and it is only limited to the amount of money in the revolving fund, which amount is authorized to be \$250,000,000.

Mr. JONES. If one of these associations organizes a corporation with a limited capital stock, there would be no liability by the association?

Mr. CRISP. None whatever.

Mr. JONES. Of course, if the corporation made profits, it would set aside part of the profits to pay losses?

Mr. CRISP. Yes.

Mr. ADKINS. In other words, it would let the Government hold the bag?

Mr. CRISP. Yes; just as the Government held the bag when they paid \$2,000,000,000 to the railroads during the war.

Mr. JONES. Is there any provision as to how much shall be loaned on each commodity?

Mr. CRISP. No.

Mr. JONES. Then if one of them got started and should borrow the whole \$250,000,000, that would be the end of it?

Mr. CRISP. To start with, I do not think that any 12 men appointed by the President of the United States and confirmed by the Senate would do any such inequitable and ridiculous thing. That is my judgment, and that is my answer to that. I believe firmly that if this bill is made a law the Government won't have to furnish any money to buy any cotton. Now, why do I say that? If a board organized under the authority of the United States Government says to the world we have unlimited money and we are going to finance the proposition and take off the market a sufficient amount of the cotton until the price will produce a reasonable profit over the cost of efficient production, then just as sure as the night follows the day the American spinners and the world would rush right in and begin to buy that product. The price would then go up.

Mr. JONES. I agree with that.

Mr. CRISP. There can be no question about it, and I think that the same thing would apply to other agricultural products.

Mr. TINCER. It would apply to wheat easier than it would to cotton.

Mr. CRISP. Now, Mr. Chairman, the bill provides that where one holding corporation is established for any commodity, no other corporation shall be organized for that commodity, so as to prevent multiplicity, and the only organization that would deal directly with the farm board for the purpose of securing credits would be that one corporation—

Mr. ADKINS. That is under this act?

Mr. CRISP. Under the bill that I am talking about.

Mr. ADKINS. That would not interfere with any other corporation?

Mr. CRISP. No; I am doing my level best to confine myself to this bill.

Mr. MENGES. Will you allow me to interrupt for a question?

Mr. CRISP. Certainly.

Mr. MENGES. Did I understand you to say that the people who organize this corporation should have control of that one product or that one commodity throughout the entire part of the country in which it is produced?

Mr. CRISP. Yes. In other words, my dear friend, I apprehend that the gentlemen out West know very much more about the cattle industry and the swine industry and the wheat and corn than I do, and the men from the South naturally know more about cotton than people from States where they do not produce it. The theory of this bill is that in each particular section there are cooperative marketing associations trying to aid their farmers in the disposal of their surplus products, the surplus commodities raised in their section, and therefore under this bill when an emergency exists as to corn or wheat, those cooperative associations out in the country dealing with wheat would come to the board and make out that emergency and have a wheat corporation created made up by the stockholders of the cooperative associations out West, or a corporation for swine organized through the cooperative dealing with that, and when one corporation for one basic agricultural product is organized, then all future dealings with regard to that commodity with the Government should be made directly with that one holding corporation. But if that holding corporation goes on the market and withdraws sufficient of the surplus to insure a price equal to the cost of production, every other raiser of that commodity, no matter where he may reside, no matter whether he markets through a cooperative association or not, gets the benefit of it. I believe that, if efficiently managed, there will be a profit. Therefore those far-sighted, progressive farmers that organize will get a part of the profit made by this corporation, which is distributed to them, and they assume no liability or responsibility whatever.

Mr. KINCHELOE. I think you will agree with me that these 12 members of the farm board will have about as big a job as there is in the country.

Mr. CRISP. Yes.

Mr. KINCHELOE. Don't you think, perhaps, it would be better if your bill not only provided for the 12 Federal land-bank districts but that it also affirmatively declare that it shall be a man whose knowledge and understanding of wheat, corn, tobacco, and of the different staple products should be established? Don't you think they will be better qualified if they were qualified to deal with these commodities?

Mr. CRISP. In answer to that I might say my thought was—I may be wrong, and I am not wedded to this, and if this great committee will take the bill and amend it or change it in any way, I would be perfectly satisfied—but my thought was that if one member of the board was taken from each of the 12 Federal land districts there would be a man on there who was familiar with all of these commodities raised in the United States. That was my thought.

Mr. KINCHELOE. I am not familiar right now with the boundaries of these farm-loan districts.

Mr. CRISP. I think if you take the 12 farm-loan districts there will be a man familiar with agricultural conditions and the agricultural situation in every community of the United States. I have stressed, gentlemen, a reasonable profit over efficient production. You could not ask the Government, you could not ask any private enterprise, to give a profit to the slothful, extravagant, and inefficient producers. There must be some limitation to the charge against the Treasury. The man who does not look after his own business, the man who is not efficient, must take the consequences. Now, that is as sure as the law of the Medes and the Persians.

Mr. RUBEY. But you might have a very efficient farmer and his crop might be destroyed by the winds, or by the rains and floods; he might be in distress, and you could not call him inefficient because he did not have anything left.

Mr. CRISP. No. I would say that that poor man was deserving of sympathy, but that he was out of luck. He would be just like the fellow who had his house burned without any insurance on it. But his commodity would be selling at a price that would insure a reasonable profit to the efficient producer.

Now, Mr. Chairman, I think I have talked long enough. I have run over the bill, and I simply want to say this, that there is one thing that in my poor judgment will mean much to agriculture and much to the consuming public and that is to provide insurance of continuity of a sufficient amount of these agricultural products to meet the needs of the country and the needs of the world. Now if I am not incorrectly advised, in 1923 you had a small corn crop and in 1924 corn was high, which resulted in the farmers reducing their supply of hogs. That reduced the supply of pork greatly and the price of pork went high, which placed a burden on the consumers of meat. Now, if during the bumper years of 1924 or 1923 there had been 100,000,000 bushels of surplus corn taken from the market and carried in one of these warehouses as a surplus, the farmers would not have felt the necessity of

reducing their supply of hogs, because they would know that that 100,000,000 bushels of surplus corn was available, and 100,000,000 bushels of corn has a very controlling effect in the price of corn. If I am correctly informed, while we raise 3,000,000,000 bushels of corn, there are only about 600,000,000 bushels ever sold off the farm. If you have a continuity of supply guaranteed it tends to stabilize things, and it is of benefit not only to the producer but to the consumer, as I have before remarked. This bill is not one to pyramid prices unduly high, but it provides that the carry-over surplus shall be fed to the market in lean years, which to the extent that the surplus compares to the need for that commodity will hold down the price to that extent, but the efficient producer is always insured of the cost of an efficient production.

Now, my bill contains a provision of the Tincher-Fess bill, which authorizes the board to make loans to cooperatives or corporations for the purpose of building warehouses and storage plants for the purpose of carrying over this surplus. The bill also contains a provision of the Tincher-Fess bill that if there is a cooperative marketing association that is purely representative of a commodity, and does not desire to organize a corporation (for instance, like the cranberry producers or some similar industry), that the farm board, if they make out their emergency case, is authorized to loan them temporarily, under such terms as the board may direct, sufficient funds for orderly marketing of those commodities, but not their storage.

The bill provides \$500,000 for the financing and instituting and carrying into effect of the provisions of the bill, and it authorizes an appropriation of \$250,000,000 from the Treasury for a revolving fund. Now, the bill carries two provisions which, in my judgment, will have a tendency to hold down production and to check overproduction, to wit, first, that the board will only furnish finances to buy a commodity when they have not increased the acreage over what is recommended by the Department of Agriculture as essential; and, second, when the \$250,000,000 is used—and it would never be touched if good judgment and common sense are used in the planting of crops—but if the farmers go wild and raise year in and year out enormous surpluses and the \$250,000,000 is consumed, there is no other fund from which they can get the money to continue the financial operations. Therefore, Government aid ceases, and if they do that foolish thing they will have to bear the burden of their folly. I thank you, gentlemen.

Mr. TINCHER. This is a short session of Congress. I suppose there is going to be a serious effort made to pass farm legislation at this session. Our experience is that when we hold hearings on this matter they come out in print just about the time that we go on the floor of the House with the bill, and I am going to suggest that you take the remarks that you have made here and get leave to print or insert them in the RECORD for the benefit of the membership of the House, or that you make this speech on the floor of the House. I think that also applies to Mr. ASWELL's talk of yesterday. Then the membership of the House can study the problem more intelligently.

Mr. CRISP. I thank my friend very much for his compliment. I would not like to extend my remarks in the RECORD, but if anyone else saw fit to do so, of course it would be agreeable to me. I do not care to make a speech on the floor of the House, but perhaps it would be well to print this in the form of a speech and mail it out to the Members of the House.

Mr. KINCHELOE. I think it would receive more attention if you did it that way.

Mr. TINCHER. The trouble is that we go before the House with a bill just about the time that the hearings are printed and we do not have a chance to have them circulated.

Mr. EDWARDS of Georgia. Mr. Chairman, I would like to make the request that the RECORD show that I am present and that I indorse the Crisp bill.

The CHAIRMAN. Without objection, it is so ordered.

(Whereupon, at 12.30 o'clock p. m., the committee adjourned until Monday, January 10, 1927, at 10 o'clock a. m.)

CHANGE OF REFERENCE

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent that the bill—S. 3963—referred to the Committee on Agriculture on July 2, 1926, be referred to the Committee on the Public Lands.

The SPEAKER. Is there objection?

Mr. GARRETT of Tennessee. Reserving the right to object, what is the bill?

Mr. HAUGEN. To establish a system of adequate grazing of livestock on the public lands in Alaska.

Mr. GARRETT of Tennessee. Is it agreed by members of the gentleman's committee that this properly belongs to the Committee on the Public Lands?

Mr. HAUGEN. The Committee on the Public Lands has jurisdiction over the public lands and evidently should have jurisdiction over the bill.

Mr. GARRETT of Tennessee. And the gentleman's committee agrees that it should be so referred?

Mr. HAUGEN. I have not conferred with members of my committee, but I have conferred with the chairman of the Committee on the Public Lands, and I understand it is desirable.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

THE McFADDEN BANKING BILL

Mr. BACON. Mr. Speaker, I ask unanimous consent to extend my remarks on the McFadden bill—H. R. 2—by including a short letter from the New York State Bankers Association.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none.

Mr. BACON. Mr. Speaker, in accordance with permission given me, I insert herewith in the RECORD, for the information of Members of Congress, a letter addressed to me containing the resolution in favor of the McFadden bill (H. R. 2), without the Hull amendments, adopted unanimously by the national-bank section of the New York State Bankers Association on November 20, 1926.

I am heartily in accord with this resolution and hope that the McFadden bill without the Hull amendments may pass at this session of Congress:

The letter and resolution follow:

NEW YORK STATE BANKERS' ASSOCIATION,

New York City, November 30, 1926.

Hon. ROBERT L. BACON,

Representative in Congress, Washington, D. C.

DEAR SIR: At a special and largely attended meeting of representatives of the national banks of the State of New York held in Syracuse on the evening of Saturday, November 20, 1926, the following resolution was unanimously adopted and I was instructed to transmit a copy thereof to you:

"Whereas the continued existence and effectiveness of the Federal reserve system, generally acknowledged to be the most modern system of central banking and a model for central banking practice throughout the world, rests not only upon the law creating it but also upon the continuous membership of the individual banks giving their allegiance to the system, foremost of which by reason of their national charters are the national banks: Now, therefore, be it

"Resolved, That the national-bank section of the New York State Bankers Association, in special session assembled, urge upon the Congress of the United States the imperative necessity of immediate legislation to insure the perpetuation of the Federal reserve system and the Federal reserve banks, and to amend the national bank act so that national banks may be placed upon an equality of opportunity with banking institutions operating under the laws of the several States, and that new institutions may seek national instead of State charters, to the end that the national banking system may be increased in strength and usefulness; and be it further

"Resolved, That a copy of this resolution be sent to all Members of the Senate and House of Representatives, with a request to use their efforts to obtain the passage of the McFadden bill, H. R. 2, without the Hull amendments, as recommended by the Los Angeles convention of the American Bankers Association."

It was the frequently expressed hope of the speakers at the meeting and of the bankers present that the Senators and Representatives in Congress from New York State will use every effort to secure the enactment of the McFadden bill, without the Hull amendments, prior to the adjournment of the present short session of Congress. As indicated in the above resolution, the New York bankers deem it of the utmost importance for the preservation and continuing strength of the national-banking system that this bill be enacted into a law before further defections of banking organizations from the national system shall take place.

I therefore transmit this to you as representing the carefully considered opinion of the national bankers of the State of New York, adopted without a dissenting voice.

Yours truly,

W. C. FEATHERS,
President National Bank Section.

PERMISSION TO ADDRESS THE HOUSE

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that on the 21st of January, the gentleman from North Carolina [Mr. STEDMAN] may have permission to address the House for 20 minutes immediately after the reading of the Journal and the disposition of the business on the Speaker's table.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none.

Mr. EATON. Mr. Speaker, I ask unanimous consent to address the House to-morrow morning for 20 minutes immediately after the disposition of business on the Speaker's table.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. CHALMERS. Mr. Speaker, I was under the impression that the conference report on the rivers and harbors bill was to come up immediately after the reading of the Journal, and so understanding Members will be here to take care of that report.

Mr. TILSON. Mr. Speaker, I do not think there was any agreement as to the exact time when this conference report should be called up. It is a highly privileged matter and will be called up in due time, undoubtedly, but I do not understand there was an hour fixed at which this matter should be taken up.

Mr. BLANTON. It will still be here after the gentleman gets through.

Mr. TILSON. There are several hours in the day.

PAN AMERICAN PEOPLES GREAT HIGHWAY COMMISSION

Mr. McLEOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD relative to the bill H. R. 15669, to provide for the appointment of the Pan American Peoples Great Highway Commission.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. McLEOD. Mr. Speaker and gentlemen, I rise at this time to explain the importance of the early passage of my bill (H. R. 15669) to provide for the appointment of the Pan American Peoples Great Highway Commission.

This bill is of such vital importance to our country, as well as to our Canadian friends to the north and to our friends the Spanish and Portuguese peoples to our south, that I beg of my colleagues a few minutes of time to furnish details covering the necessity of very prompt action in the passing of the bill creating the commission to assist in the construction of the Pan American Peoples Great Highway, linking the capitals of the 19 countries.

There is no more opportune time to turn our thoughts to the formulation of closer and friendlier relations with our neighbors to the south than the present moment, when the message of the President of the United States on the Nicaraguan situation is still fresh in our minds.

The good that is expected to be accomplished in securing better understanding mutually among the peoples of our American Republics will be of future effect, rather than immediately alleviating any strained relations which may exist. However, it can not be denied that the passage by the Congress at this time of this bill will be of great benefit in preserving the confidence of Pan American countries in our friendliness. Present diplomatic discussions, in the light of world history, may be merely an unpleasant incident. It is in fact one of a series of unpleasant incidents in the history of our foreign relations on this hemisphere which we would gladly prevent from recurring in the future. In this measure, I sincerely believe, we have the means of avoiding future misunderstandings.

In reviewing the acts within the Congress and the advice given by most eminent statesmen, I find that they very firmly expressed the importance of an overland connection with all of the countries to our south. Over a hundred years ago President John Quincy Adams and his Secretary of State, Henry Clay, are on record in advocating a great highway through to South America.

The great general, Simon Bolivar, known by his friends as the George Washington of South America, strongly urged his people to build a great highway linking all countries. Various bills were introduced in the Senate and House from 1880 to 1900 by distinguished Representatives and Senators advocating closer commercial, social, and political relationships between the United States and the friendly Republics to our south and to devise ways and means of an overland connection to accomplish the hoped for result. During the time of Presidents McKinley and Roosevelt efforts were made by those distinguished gentlemen to secure an overland connection through to the Canal Zone and on to South America, by the extension of the Southern Pacific Railroad of Mexico, owned by the Southern Pacific Co., then in operation from Arizona along the west coast of Mexico, over a thousand miles to the south. The late Mr. E. H. Harriman, then in control of that company, had the construction well under way, when unfortunately, his untimely death caused delays and the work was abandoned. During the time of President Harding the plans of the overland connection were again taken up. Very important factors in rapid transportation had definitely matured. The automobile, motor truck, airplanes, and the dirigible had all advanced to more or less perfection. It being the consensus of opinion of our most noted experts that development of aircraft had advanced to

reliability as carriers of passengers, mails, and fast express freights, of great importance to our Government and people, as well as to all of the nations and peoples to our south, and that the automobile and motor truck had become a real necessity, a very important part of our every-day life. President Harding very correctly concluded that it was of far greater importance for all of the peoples of the countries through to Argentina that a great highway should be constructed and opened to lawful traffic within the shortest time possible; that the highway will serve aircrafts as a possible landing place when suddenly forced down by storms, engine troubles, lack of fuel, or other causes, aside from regular landing fields duly provided for at proper locations.

President Coolidge has expressed his high personal interest and is making a study of the very important plan of the highway as indicated.

Investigations and surveys made by engineers of much general experience have been completed along the proposed routes for railroads as well as for highways, and they find this through highway feasible and that it presents only such engineering problems as have been found in the construction of our modern Lincoln Highway now open for traffic from the Atlantic to the Pacific shores, over which vast numbers of automobiles, trucks, and motor-bus parties go daily. This is the age of automobiles, of motor trucks, and aircraft. We could not carry on our commerce and social life of to-day without such equipments. Prosperous Canada to our north and the 17 sister Republics to our south are enjoying, more or less, the same equipments. But much is to be accomplished to our south, and the only means of bringing about the construction of a through highway is by creating a commission to work with and assist our friends as outlined in the bill. We all know of the very helpful and important results obtained by direct individual contact between the peoples through means of a highway. Prior to the opening of highways and rail connections there was little or no commerce with Mexico, for instance, except by sailing vessels on the Gulf and ocean.

After roads were opened personal contact produced a most wonderful change; friendships were immediately noticeable, and to-day, in the common schools, high schools, and universities of Texas, Arizona, and California are many hundreds of pupils, bright, intelligent Mexican boys and girls and also many Spanish children from Central America, all in daily attendance, holding their own with our children in study, deportment, and play. The large tonnages of commerce going into and out of Mexico every day of the year speak well for the foresight of those who opened to traffic the trails, roads, and rail connections. President Calles, of Mexico, appreciates the results obtained through direct individual contact between the peoples. He is rushing the construction of a surfaced highway from Mexico City southward to the Guatemala frontier and from Mexico City northerly to our border at Laredo, Tex. This highway will be opened for lawful traffic by automobile and truck during the coming year and those officials will invite the touring peoples of our country and Canada to view the mountain and valley wonders of that land by automobile and motor bus. Several of the countries of Central and South America are spending large sums of money in the building of local surfaced highways, but to Mexico must go the credit of building the first through highway from the northern to her southern boundaries. I here wish to insert a report from a prominent engineer who has been over the proposed highway route, surveyed parts of the route, is familiar with conditions, has met the peoples of the various countries during the past 36 years, and in late personal conversations with the peoples and Government officials is positive of their hearty cooperation to secure the establishment of an improved through highway to be opened to lawful traffic within the shortest time:

1520 H STREET,
Washington, D. C., January 1, 1927.

HON. CLARENCE J. McLEOD,

Member of Congress, Washington.

MY DEAR CONGRESSMAN: The proposed Pan American Peoples Great Highway from Detroit, Mich. (connecting at Windsor, Canada, with Canadian surfaced highways), crossing the United States, Mexico, Central America, Panama, and South American countries, as shown on the accompanying map, will stimulate development of country and create new trade of vast commercial importance in all of the 19 countries.

In the 17 Republics to our south, British Honduras, British Guiana, French and Dutch Guiana, there are, according to reports of the Government officials as of July 1, 1926, over 95,000,000 of peoples enjoying an export and import trade close to two thousand millions of gold dollars value the year. These countries to-day have about 500,000 automobiles and motor trucks, with only short local roads. Argentina, Brazil, Colombia, and Mexico are rapidly increasing their mileage of

surfaced highways and increasing in monthly purchases automobiles and motor trucks. These countries are all doing work on local surfaced roads, but with few exceptions there is no attempt to link one country with the other with through roads. * * *

Fully 15,000,000 automobiles and trucks should be in daily use within those countries soon after the through highway is opened to traffic owing to the following facts:

(1) The Pan American Peoples Great Highway will open to rapid transportation by automobile and motor truck, local and for export, commercial products from over 200,000 farms and plantations now served with only cow trails, two-wheeled oxcarts, and, in places, very bad roads.

(2) Will open vacant lands for settlement of millions of homes among native and foreign agriculturists and plantation classes, who will produce coffee, cocoa, fruits, grains, stock, and other commercial products.

(3) Will open up thousands of small rubber plantations and solve the problem of reaching the wild-rubber forests along the Amazon River and its tributaries, where hundreds of millions of matured wild *Hevia brasiliensis* rubber trees in full bearing now exist and only partly worked, thus opening up to our markets this source of rubber supply, reputed to be the greatest in the world.

These forests of wild rubber trees can only be reached at present by very long expensive river trips * * *. A branch highway from the main road will be the means of quick transport into the lower lands where the rubber forests exist, and the means of transporting labor out to the healthy high lands at the close of the working season. * * *

(4) Will furnish transportation to 2,000 miles of country known to contain thousands of miles of tributaries and subtributaries of the Amazon River, including ancient channels of partly proven placer gold fields, deposits of precious stones, quartz ledges of amazing commercial values in gold and other metals, at present unworkable, owing to great hardships of long-river trips and jungles almost impossible for the mining men to penetrate. The through highway will solve the transport problem and open up these virgin fields of riches.

(5) The vast mileage of commercial timbers along the route are all marketable. Competent timber cruisers report approximately 5,000,000,000 long-life railroad crossties, in standing timbers within the forests of one of the countries the highway will cross, that can be transported on a section of the highway, by motor truck and trail wagons, to the ports and shipped to the markets by sailing ships. Commercial timbers for furniture, cabinet work, and interior house finishing are unequalled in the world in billions of board feet measure, variety, colors, fine grain, and polish finish. The commercial values of the timbers and other raw materials reach vast figures. The highway will create a demand for equipments, mills, supplies, etc., where no demand exists to-day. In the early days the raw materials in Pennsylvania, Colorado, California, and other States made a wonderful showing to the man of vision and understanding, and when transportation was furnished, vast fortunes were made. Here we have a parallel along this highway route of far greater riches in their virgin state only awaiting a means for their development.

(6) Every one of the present and future farm and plantation class, the worker of the mines, forests, and other raw materials will require automobiles and motor trucks; manufacturers will have large demands for tractors, farm equipment, and machinery to supply this new market. Only a through highway will interest the proper working class to go to the countries and open these vast storehouses of wealth.

The airplane is the quickest possible transportation for commerce, passengers, and mails, and also sound additional protection to our country and equally as important and as necessary for every nation to our south. The dirigible is obviously soon to also become an important factor in the transport of passengers, mails, and express freights, within as well as between all of the nations. The highway, through the dense forests and jungles of over 3,000 miles of the route, will afford an opportunity for a safe forced landing, as well as to secure aid from people living near the accident. The automobile, motor truck, airplane, and dirigible are a necessary part of the advancing age of peoples and governments of the 19 countries; in building up of country, of commerce, social, economical, and political affairs; to clear up suspicion and endless troubles caused principally by the unnecessary isolation from each other, giving direct individual contact between the peoples, insuring a better peace, greater prosperity, erasures of misunderstandings, and promotion of friendships heretofore unknown. I have talked with many of the peoples, from Argentina to Mexico, and they are firm in the belief that a through highway for automobile and autobus travel, and the individual direct contact will accomplish the much hoped-for times of peace and prosperity. Undoubtedly all are hopeful to soon possess an automobile and to have a through highway for its use.

Only by our Government creating a highway commission can this task be accomplished. Naturally the commission can only cooperate toward the desired end, for upon all of the peoples and governments, within their respective borders, a section of the through highway rests

entirely; but without the earnest work of such a commission the plans would soon be neglected and serious delays occur. * * *

If the commission secures proper organization and the work started as near simultaneously as possible within each country, the through highway from Canada to Argentina can be opened for traffic within 9 to 10 years. * * *

The countries to our south are bountifully supplied with raw materials for every requirement known in good road construction and upkeep. In one great hill, situated alongside of a deep water bay, are sufficient tonnages of limestone, proven to be of the best quality known for the manufacture of high-grade cement that, with a proper mill, could cheaply furnish the necessary cement for the South and Central American highways. Water transportation from this deposit by sailing ships with native crews can reach every river mouth along the route. River boats can land the cement and materials within short distances of actual places where the supplies are required.

Labor in sufficient numbers is plentiful except in remote locations. The laborers for the remote-location work are available and at a reasonable wage.

Engineers: In all of the countries are native engineers of considerable general experience in local good roads construction and maintenance. They are efficient and of high rank in their profession. These gentlemen, at the expense of their respective governments, will no doubt be pleased to join the United States commission and render valuable assistance.

Mileage: From Windsor, Canada (the junction with Detroit, Mich.) surfaced highways are in operation, connecting the principal centers of Canada. From Detroit to Laredo, Tex., but little new construction is required to complete a continuous surfaced highway to the Mexican frontier. The Mexican Government is energetically constructing a surfaced highway linking up Laredo with the Guatemala frontier, via Mexico City. Guatemala and Salvador are building highways and are anticipating the through highway connection with great interest. From Salvador on to the Argentine frontier about one-tenth of the through highway may be classed as completed, and are suitable links that may be made use of by the through highway.

It is my prayer this New Year's day that the Congress and President will promptly create the commission and start it at work upon one of the most important undertakings now before the peoples of the 19 countries.

Sincerely yours,

JAMES DEITRICK,
Consulting Engineer.

The statement of the engineer gives important facts. I concur in his statement and trust that immediate action will be taken upon this very important bill. Coming at a time when we are in urgent need of expanding our foreign markets, the building of such a highway will definitely assure us of the continued phenomenal growth of our industries.

EDMUND BURKE

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by inserting some remarks made by me on Edmund Burke.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks by inserting in the Record an address recently made by him on the subject of Edmund Burke. Is there objection?

There was no objection.

Mr. FISH. Mr. Speaker, under leave granted to extend my remarks I insert the following speech made at the statue of Edmund Burke, situated at the corner of Twelfth Street and Massachusetts Avenue NW., Washington, D. C.:

It is a great honor and privilege to be invited to participate in this ceremony commemorating the one hundred and ninety-ninth anniversary of the birth of that brilliant British orator, author, and statesman, Edmund Burke, who fearlessly upheld the cause of the American colonists in the British Parliament and consistently preached the doctrine of conciliation. His masterful speeches denouncing the British ministers for their policy of repression and coercion against the Colonies, although unavailing at the time, are to-day considered among the gems of English literature. He was the greatest thinker and writer who ever devoted his entire career to English politics.

The outstanding characteristics of Edmund Burke were his passionate devotion to the principles of justice and ordered liberty. The love of these principles dominated every act of his long public career and made him the champion in Parliament against the tyranny that was trampling down English liberties in the Colonies, the advocate of Wilkes in his long contest for his seat in Parliament, the instigator of the charges and proceedings against Warren Hastings, and toward the end of his career brought about the final break in his friendship with Charles James Fox, who sympathized with the French Revolution, whose disorders shocked Burke and almost became an obsession with him.

We must not forget that 75 per cent of the people of the United States are of British descent and that our laws and free institutions are, for the most part, of Anglo-Saxon origin. For the past 112 years

peace has prevailed between the British Empire and the United States, so that to-day the British fleet is practically a part of our first line of defense. There are some elements in this country who enjoy twisting the lion's tail just to hear the lion roar, but there is no statesman in either Nation who could even conceive of the possibility of war between the two countries. If such a one should ever arise, he should be ostracized, as the ancient Greeks did to their unfaithful public servants. We may be commercial rivals, but we have the same aims to attain, the protection of commerce on the high seas, the upholding of law and order, and the extension of trade. The Canadian border line extending for 3,000 miles without a single fort, a single gun, or a single soldier, is a source of pride to all British and American citizens and a glorious example to this war-weary world how peaceful relations between nations can be permanently secured when based on mutual good will, friendship, and justice. If Edmund Burke were alive to-day, he would be the greatest advocate for cementing the ties of friendship between the English-speaking nations, and, impelled by his love of justice and ordered liberty, he would have given his great talents to rivet even more closely the union between Great Britain and the United States for the sake of humanity, peace, and the orderly progress of civilization.

LEAVE OF ABSENCE

Mr. KETCHAM, by unanimous consent, was granted leave of absence, indefinitely, on account of urgent and important business.

Mr. LINTHICUM, by unanimous consent, was granted leave of absence, for Thursday, January 13, 1927, on account of important business.

ADJOURNMENT

Mr. WOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 37 minutes p. m.) the House adjourned until to-morrow, Thursday, January 13, 1927, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Thursday, January 13, 1927, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Labor Department appropriation bill.
District of Columbia appropriation bill.

COMMITTEE ON FOREIGN AFFAIRS

(10.30 a. m.)

To consider the President's message on Nicaragua.

COMMITTEE ON INDIAN AFFAIRS

(10.30 a. m.)

To authorize oil and gas mining upon unallotted lands within Executive-order Indian reservations (H. R. 15021).

COMMITTEE ON INSULAR AFFAIRS

(10.30 a. m.—Senate Committee on Territories and Insular Possessions)

To hear a delegation from the Virgin Islands.

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To authorize the Secretary of the Navy to proceed with the construction of certain public works (H. R. 11492).

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

(10 a. m.)

To authorize an appropriation to provide additional hospital and out-patient dispensary facilities for persons entitled to hospitalization under the World War veterans' act, 1924 (H. R. 15663).

COMMITTEE ON WAYS AND MEANS

(11 a. m.)

To conserve revenues from medicinal spirits and provide for the effective Government control of such spirits to prevent the evasion of taxes (H. R. 15601).

COMMITTEE ON THE DISTRICT OF COLUMBIA

(10.30 a. m.)

To authorize the transportation of all miscellaneous refuse collected in the District of Columbia to the workhouse or reformatory tract near Occoquan, Va., and its disposition at that place (H. R. 10893).

COMMITTEE ON MILITARY AFFAIRS

(10.30 a. m.)

To hear General Patrick and Assistant Secretary of War Davison on legislation for the Air Corps.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

856. A letter from the Secretary of War, transmitting report of the Chief of Engineers on preliminary examination of channel beginning at the mouth of Manteo Bay, N. C., and thence southwardly via Roanoke Sound to the main channel in Pamlico Sound; to the Committee on Rivers and Harbors.

857. A letter from the Secretary of War, transmitting a report from the Chief of Engineers on preliminary examination of Pokety Creek, a branch of North Landing River, Va.; to the Committee on Rivers and Harbors.

858. A letter from the Secretary of War, transmitting a report from the Chief of Engineers on preliminary examination of Oyster Creek, Atlantic County, N. J.; to the Committee on Rivers and Harbors.

859. A letter from the Secretary of War, transmitting a report from the Chief of Engineers on preliminary examination of Fenholloway River, Fla.; to the Committee on Rivers and Harbors.

860. A letter from the Secretary of War, transmitting a report from the Chief of Engineers on preliminary examination of Portland Harbor, Me.; to the Committee on Rivers and Harbors.

861. A letter from the Secretary of War, transmitting a report from the Chief of Engineers on preliminary examination of canal from Waldo, Fla., into Lake Alto, and from Lake Alto to Little Lake Santa Fe; to the Committee on Rivers and Harbors.

862. A letter from the Secretary of War, transmitting a report from the Chief of Engineers on preliminary examination and survey of Smiths Creek, N. C.; to the Committee on Rivers and Harbors.

863. A letter from the Secretary of War, transmitting a report from the Chief of Engineers on preliminary examination of Mobile Harbor, Ala.; to the Committee on Rivers and Harbors.

864. A letter from the Secretary of War, transmitting a report from the Chief of Engineers on preliminary examination of Wrangell Harbor, Alaska; to the Committee on Rivers and Harbors.

865. A letter from the Secretary of War, transmitting a report from the Chief of Engineers on preliminary examination of channel connecting Pine Island with Captive Island and Caloosahatchee River, Fla.; to the Committee on Rivers and Harbors.

866. A letter from the Secretary of War, transmitting an itemized statement of the expenses of the commission created to inspect the battle field of Pea Ridge, Ark.; to the Committee on Military Affairs.

867. A letter from the Secretary of War, transmitting a summary of reports with a brief statement of the action of the department in respect to accidents sustained or caused by barges while in tow through the open sea during the fiscal year 1926; to the Committee on the Merchant Marine and Fisheries.

868. A letter from the Secretary of the Navy, transmitting a report of a proposed draft of a bill "To authorize the Secretary of the Navy to develop an ammunition depot at Hawthorne, Nev., and for other purposes"; to the Committee on Naval Affairs.

869. A letter from the Secretary of the Navy, transmitting a report of the disposition of useless papers in the files of navy yards, naval stations, etc.; to the Committee on Disposition of Useless Executive Papers.

870. A communication from the President of the United States, transmitting a draft of proposed legislation for consideration in connection with the estimates of appropriations for the War Department for the fiscal year ending June 30, 1928, under the appropriation title, "Air Corps, Army" (H. Doc. No. 640); to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SINNOTT: Committee on the Public Lands. H. R. 15821. A bill to revise the boundary of the Hawaii National Park on the island of Maui in the Territory of Hawaii; without amendment (Rept. No. 1731). Referred to the Committee of the Whole House on the state of the Union.

Mr. SINNOTT: Committee on the Public Lands. 3, 4252. An act setting aside certain land in Douglas County, Ore., as a summer camp for Boy Scouts; without amendment (Rept. No. 1732). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAPES: Committee on Interstate and Foreign Commerce. H. R. 15642. A bill granting the consent of Congress to the State of Michigan and Berrien County, or either of them, to reconstruct, maintain, and operate a bridge across the St. Joseph River; with amendment (Rept. No. 1733). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 16164. A bill to amend the act entitled "An act to amend the Panama Canal act and other laws applicable to the Canal Zone, and for other purposes," approved December 29, 1926; without amendment (Rept. No. 1734). Referred to the House Calendar.

Mr. VINSON of Kentucky: Committee on Military Affairs. H. R. 15651. A bill to encourage breeding of riding horses for Army purposes; without amendment (Rept. No. 1735). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILL of Maryland: Committee on Military Affairs. H. R. 15653. A bill to furnish public quarters, fuel, and light to certain civilian instructors in the United States Military Academy; without amendment (Rept. No. 1736). Referred to the Committee of the Whole House on the state of the Union.

Mr. FURLOW: Committee on Military Affairs. H. R. 15661. A bill to regulate the operation of sales commissaries and other utilities of the War Department selling services or supplies; without amendment (Rept. No. 1737). Referred to the Committee of the Whole House on the state of the Union.

Mr. McSWAIN: Committee on Military Affairs. H. R. 15828. A bill to prohibit certain assignments to duty in bureaus of the War Department; without amendment (Rept. No. 1738). Referred to the Committee of the Whole House on the state of the Union.

Mr. FISHER: Committee on Military Affairs. H. R. 15839. A bill authorizing the Davis School district of Farmington, Utah, to secure water for the use of the South Weber School from the water supply of the Ogden ordnance reserve depot; without amendment (Rept. No. 1739). Referred to the Committee of the Whole House on the state of the Union.

Mr. ZIHLMAN: Committee on the District of Columbia. H. R. 16170. A bill authorizing the sale of land at margin of the Rock Creek and Potomac Parkway for construction of a church and provision for proper ingress and egress to said church building; with an amendment (Rept. No. 1748). Referred to the Committee of the Whole House on the state of the Union.

Mr. PORTER: Committee on Foreign Affairs. H. J. Res. 328. A joint resolution to provide for the expenses of delegates of the United States to the Congress of Military Medicine and Pharmacy to be held at Warsaw, Poland; with an amendment (Rept. No. 1749). Referred to the Committee of the Whole House on the state of the Union.

Mr. LINTHICUM: Committee on Foreign Affairs. H. J. Res. 329. A joint resolution to provide for the expenses of participation by the United States in the Second Pan American Conference on Highways at Rio de Janeiro; without amendment (Rept. No. 1750). Referred to the Committee of the Whole House on the state of the Union.

Mr. PORTER: Committee on Foreign Affairs. H. J. Res. 330. A joint resolution to provide for the expenses of delegates of the United States to the Eighth Pan American Sanitary Conference to be held at Lima, Peru; with amendment (Rept. No. 1751). Referred to the Committee of the Whole House on the state of the Union.

Mr. PORTER: Committee on Foreign Affairs. H. J. Res. 331. A joint resolution to provide for the membership of the United States in the American International Office of Protection for Childhood; with amendment (Rept. No. 1752). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. UNDERHILL: Committee on Claims. H. R. 1134. A bill for the relief of William R. Connolly; without amendment (Rept. No. 1740). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 10496. A bill for the relief of John A. Thornton; without amendment (Rept. No. 1741). Referred to the Committee of the Whole House.

Mr. MORROW: Committee on Claims. H. R. 14071. A bill for the relief of Garfield Hankins; without amendment (Rept. No. 1742). Referred to the Committee of the Whole House.

Mr. THOMAS: Committee on Claims. S. 1860. An act for the relief of F. G. Proudfoot; without amendment (Rept. No. 1743). Referred to the Committee of the Whole House.

Mr. SABATH: Committee on Claims. S. 2474. An act for the relief of the Riverside Contracting Co.; with amendment (Rept. No. 1744). Referred to the Committee of the Whole House.

Mr. REECE: Committee on Military Affairs. H. R. 6935. A bill to correct the military record of William Mullins; without amendment (Rept. No. 1745). Referred to the Committee of the Whole House.

Mr. JOHNSON of Indiana: Committee on Military Affairs. H. R. 10380. A bill to remove the charge of desertion against Israel Brown and to grant him an honorable discharge; with amendment (Rept. No. 1746). Referred to the Committee of the Whole House.

Mr. FROTHINGHAM: Committee on Military Affairs. H. R. 15863. A bill for the relief of the widow of Warren V. Howard; without amendment (Rept. No. 1747). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 14062) granting an increase of pension to Melvina Boyce, and the same was referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTION

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BUTLER: A bill (H. R. 16205) to authorize the Secretary of Navy to develop an ammunition depot at Hawthorne, Nev., and for other purposes; to the Committee on Naval Affairs.

By Mr. CURRY: A bill (H. R. 16206) to provide for one additional district judge for the northern district of California; to the Committee on the Judiciary.

By Mr. HASTINGS: A bill (H. R. 16207) to authorize an appropriation to enable the Secretary of the Interior to provide an adequate water supply for the Sequoyah Orphan Training School near Tahlequah, Cherokee County, Okla.; to the Committee on Indian Affairs.

By Mr. KERR: A bill (H. R. 16208) to designate in each county of the several States of the United States and its Territories, possessions, or the District of Columbia, wherein one or more are situate and when practical, a certain bank or trust company, or as many as are necessary, to act as agent or agents of the Director of the United States Veterans' Bureau for the purpose of making loans to said veterans on adjusted-service certificates; to the Committee on Ways and Means.

By Mr. MORROW: A bill (H. R. 16209) to authorize an appropriation for reconnaissance work in conjunction with the middle Rio Grande conservancy district, to determine whether certain lands of the Cochiti, Santa Domingo, San Felipe, Santa Ana, Sandia, and Isleta Indians are susceptible of reclamation, drainage, and irrigation; to the Committee on Indian Affairs.

By Mr. SIMMONS: A bill (H. R. 16210) providing for the extension of the time limitations under which patents were issued in the case of persons who served in the military or naval forces of the United States during the World War; to the Committee on Patents.

By Mr. WILLIAMSON: A bill (H. R. 16211) authorizing the Secretary of the Interior to transmit to Congress a final roll of Lakota and Dakota Indians on several Indian reservations; to the Committee on Indian Affairs.

Also, a bill (H. R. 16212) to authorize per capita payments to the Indians of the Cheyenne River Reservation, S. Dak.; to the Committee on Indian Affairs.

By Mr. ZIHLMAN: A bill (H. R. 16213) concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto; to the Committee on the District of Columbia.

By Mr. BURDICK: A bill (H. R. 16214) for the relief of certain officers of the Dental Corps of the United States Navy; to the Committee on Naval Affairs.

By Mr. BLANTON: A bill (H. R. 16215) to amend the World War adjusted compensation act, as amended; to the Committee on Ways and Means.

By Mr. BLOOM: A bill (H. R. 16216) to amend paragraph 1695 of the tariff act of 1922 so as to provide that not exceeding \$300 in value of articles acquired abroad by residents of the

United States returning from abroad shall be admitted free of duty; to the Committee on Ways and Means.

By Mr. GRAHAM: A bill (H. R. 16217) to amend the act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, and the acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. HARDY: A bill (H. R. 16218) to authorize the Secretary of the Interior to exchange for lands in private ownership in Gunnison County, Colo., certain public lands in Delta County, Colo.; to the Committee on the Public Lands.

By Mr. WURZBACH: A bill (H. R. 16219) providing for the examination and survey of a proposed channel from the town of Aransas Pass, Tex., connecting with the Louisiana & Texas Intracoastal Waterways; to the Committee on Rivers and Harbors.

By Mr. GASQUE: A bill (H. R. 16220) to provide for the construction of a bridge across the Estherville-Minim Creek Canal, S. C.; to the Committee on Interstate and Foreign Commerce.

By Mr. KINDRED: A bill (H. R. 16221) to regulate the transmission in interstate commerce and through the mails of explosives of any description, or pistols, revolvers, or firearms of any description, which can be concealed upon the person; to the Committee on the Post Office and Post Roads.

By Mr. VESTAL: A bill (H. R. 16222) to change the title of the United States Court of Customs Appeals, and for other purposes; to the Committee on the Judiciary.

By Mr. KINDRED: A bill (H. R. 16223) to amend the World War adjusted compensation act as amended; to the Committee on Ways and Means.

By Mr. WURZBACH: Joint resolution (H. J. Res. 332) to correct an error in Public, No. 526, Sixty-ninth Congress; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADKINS: A bill (H. R. 16224) for the relief of DeWitt County National Bank, of Clinton, Ill.; to the Committee on Claims.

By Mr. BAILEY: A bill (H. R. 16225) granting an increase of pension to Catherine Etheredg; to the Committee on Pensions.

Also, a bill (H. R. 16226) granting an increase of pension to Massey C. Elliott; to the Committee on Pensions.

Also, a bill (H. R. 16227) granting an increase of pension to Lucinda L. Mayden; to the Committee on Pensions.

Also, a bill (H. R. 16228) granting a pension to Rebecca L. Orvis; to the Committee on Pensions.

By Mr. CARTER of California: A bill (H. R. 16229) granting an increase of pension to Alice S. Munroe; to the Committee on Invalid Pensions.

By Mr. CROWTHER: A bill (H. R. 16230) granting an increase of pension to Susana Reiter; to the Committee on Invalid Pensions.

By Mr. FAUST: A bill (H. R. 16231) for the relief of George W. Heath; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 16232) granting an increase of pension to Emily Swank; to the Committee on Invalid Pensions.

By Mrs. KAHN: A bill (H. R. 16233) for the relief of Otto F. Schroder; to the Committee on Naval Affairs.

By Mr. KELLY: A bill (H. R. 16234) for the relief of Irma S. Haller; to the Committee on World War Veterans' Legislation.

By Mr. KETCHAM: A bill (H. R. 16235) granting a pension to Mary H. Conklin; to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 16236) granting a pension to Mary E. Berry; to the Committee on Invalid Pensions.

By Mr. LONGWORTH: A bill (H. R. 16237) granting a pension to Anthony Welner; to the Committee on Pensions.

By Mr. LOZIER: A bill (H. R. 16238) granting an increase of pension to Sarah A. Hawkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16239) granting an increase of pension to Charles A. Cherry; to the Committee on Pensions.

Also, a bill (H. R. 16240) granting a pension to Eli Briggs; to the Committee on Pensions.

By Mr. LUCE: A bill (H. R. 16241) for the relief of Mangese Associates; to the Committee on Claims.

By Mr. MENGES: A bill (H. R. 16242) granting an increase of pension to Mary J. Hake; to the Committee on Invalid Pensions.

By Mr. RATHBONE: A bill (H. R. 16243) for the relief of Paul D. May; to the Committee on Claims.

By Mr. UPDIKE: A bill (H. R. 16244) for the relief of Charles G. Keiser; to the Committee on the Civil Service.

By Mr. VAILE: A bill (H. R. 16245) granting an increase of pension to Anna E. Babbitt; to the Committee on Invalid Pensions.

By Mr. WATSON: A bill (H. R. 16246) for the relief of E. E. Marshall; to the Committee on Claims.

By Mr. WEAVER: A bill (H. R. 16247) granting an increase of pension to Clara Buck; to the Committee on Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 16248) granting a pension to Robert L. Meadows; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4755. By Mr. ADKINS: Petition of voters of Clinton, State of Illinois, urging that immediate steps be taken to bring to a vote the Civil War pension bill in order that relief may be accorded to needy and suffering veterans and their widows; to the Committee on Invalid Pensions.

4756. Also, petition of voters of Arthur, State of Illinois, urging that immediate steps be taken to bring to a vote the Civil War pension bill in order that relief may be accorded to needed and suffering veterans and their widows; to the Committee on Invalid Pensions.

4757. By Mr. ALDRICH: Petition of citizens of Hopkinton, R. I., urging passage at this session of Congress of the bill granting increase of pension to \$50 per month to widows of Civil War veterans; to the Committee on Invalid Pensions.

4758. By Mr. ARNOLD: Petition from citizens of Centralia, Ill., urging the passage of the Civil War pension bill; to the Committee on Invalid Pensions.

4759. By Mr. BAILEY: Petition signed by 120 citizens of Dunklin County, Mo., urging enactment of legislation increasing the pension rate of Civil War veterans, their widows, and dependents; to the Committee on Invalid Pensions.

4760. Also, petition signed by 40 citizens of Merritt, Mo., urging enactment of legislation increasing the pension rate of Civil War veterans, their widows, and dependents; to the Committee on Invalid Pensions.

4761. Also, petition signed by 120 citizens of Gatewood, Mo., urging enactment of legislation increasing the pension rate of Civil War veterans, their widows, and dependents; to the Committee on Invalid Pensions.

4762. Also, petition signed by 180 citizens of Charleston, Mo., urging enactment of legislation increasing the pension rates to Civil War veterans, their widows, and dependents; to the Committee on Invalid Pensions.

4763. Also, petition signed by 29 citizens of Stone County, Mo., urging enactment of legislation increasing the pension rates to Civil War veterans, their widows, and dependents; to the Committee on Invalid Pensions.

4764. Also, petition signed by 120 citizens of Clever, Mo., urging enactment of legislation increasing the pension rates to Civil War veterans, their widows, and dependents; to the Committee on Invalid Pensions.

4765. Also, petition signed by 35 citizens of Parma, Mo., urging enactment of legislation increasing the pension rates to Civil War veterans, their widows, and dependents; to the Committee on Invalid Pensions.

4766. Also, petition signed by 230 citizens of Scott County, Mo., urging enactment of legislation increasing the pension rate of Civil War veterans, their widows, and dependents; to the Committee on Invalid Pensions.

4767. Also, petition of Mrs. Harriett Gow, of Mountain View, Mo., requesting Civil War pension legislation; to the Committee on Invalid Pensions.

4768. By Mr. BIXLER: Petition of citizens of Pittsfield, Warren County, Pa., requesting Civil War pension legislation; to the Committee on Invalid Pensions.

4769. Also, petition of citizens of Sandy Lake, Mercer County, Pa., requesting Civil War pension legislation; to the Committee on Invalid Pensions.

4770. By Mr. BRIGGS: Petition of a number of citizens of Galveston, Tex., urging passage of legislation relating to pensions; to the Committee on Invalid Pensions.

4771. Also, petition of a number of citizens of Anderson County, Tex., urging passage of legislation relating to pensions; to the Committee on Invalid Pensions.

4772. By Mr. BRIGHAM: Petition of B. E. Potter and other citizens of Wolcott, Vt., favoring the passage of legislation for

the relief of veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

4773. By Mr. BROWNE: Petition of citizens of the eighth congressional district of Wisconsin, urging the immediate passage of the Civil War pension bill; to the Committee on Invalid Pensions.

4774. By Mr. BULWINKLE: Petition of Mary L. Trivett and other citizens of Avery County, N. C., petitioning for the passage of additional pension law; to the Committee on Invalid Pensions.

4775. Also, petition of Paul R. Younts and others, constituting the executive committee of the American Legion, Department of North Carolina, in regard to the adjusted compensation law; to the Committee on Ways and Means.

4776. Also, petition of Mollie Lewis and other citizens of Madison County, N. C., petitioning for the passage of additional pension law; to the Committee on Invalid Pensions.

4777. By Mr. BURDICK: Petition of Harold G. Burdick, James W. Woodhead, R. R. Knowles, and 36 others, of Newport, R. I., advocating passage of radio broadcasting legislation; to the Committee on the Merchant Marine and Fisheries.

4778. Also, petition of Delphine Shepardson and others, of East Providence, R. I., advocating additional relief for veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

4779. By Mr. BURTON: Petitions of citizens of the city of Cleveland, Ohio, urging that immediate steps be taken to pass a bill providing increases in pension for Civil War veterans and their widows; to the Committee on Invalid Pensions.

4780. By Mr. CANNON: Petitioned signed by Mrs. Martha Brown and other residents of Bowling Green, Mo., favoring pension legislation; to the Committee on Invalid Pensions.

4781. By Mr. CHAPMAN: Petition of various and sundry citizens of Henry County, Ky., urging immediate steps to bring to a vote Civil War pension bill for relief of needy and suffering veterans and widows; to the Committee on Invalid Pensions.

4782. By Mr. CHINDBLOM: Petition of Arthur Foster and 41 other citizens of Zion, Ill., urging passage of a bill granting increases of pension to Civil War veterans and their widows; to the Committee on Invalid Pensions.

4783. By Mr. COOPER of Ohio: Petition of Mary E. Prentice and other residents of Warren, Ohio, favoring pension legislation; to the Committee on Invalid Pensions.

4784. Also, petition of residents of Youngstown, Ohio, favoring increases of pension to Civil War veterans and their widows; to the Committee on Invalid Pensions.

4785. By Mr. CROWTHER: Petition of citizens of Schenectady, N. Y., favoring increases of pensions to Civil War veterans; to the Committee on Invalid Pensions.

4786. By Mr. DAVENPORT: Petition of residents of Herkimer, Ohio, and Waterville, N. Y., favoring Civil War pension legislation; to the Committee on Invalid Pensions.

4787. By Mr. DEMPSEY: Petition of citizens of Tonawanda, N. Y., urging passage of Civil War pension bill for widows; to the Committee on Invalid Pensions.

4788. By Mr. DOWELL: Petition of citizens of Polk County, Iowa, urging Civil War pension legislation; to the Committee on Invalid Pensions.

4789. Also, petition of citizens of Madison County, Iowa, urging pension legislation; to the Committee on Invalid Pensions.

4790. Also, petition of citizens of Runnells, Polk County, Iowa, urging pension legislation; to the Committee on Invalid Pensions.

4791. By Mr. ELLIS: Petition of citizens of Kansas City, Mo., urging passage of a bill granting increase of pensions to Civil War veterans and their widows; to the Committee on Invalid Pensions.

4792. Also, petition of citizens of Kansas City, Mo., urging passage of a bill granting increase of pensions to veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

4793. Also, petition of citizens of Jackson County, Mo., urging passage of a bill granting increase of pension to veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

4794. By Mr. FROTHINGHAM: Petition by residents of Randolph, Holbrook, North Abington, and Brockton, Mass., urging the passage of legislation increasing the pension of Civil War veterans and widows of Civil War veterans; to the Committee on Invalid Pensions.

4795. By Mr. GALLIVAN: Petition of Department of Massachusetts, Veterans of Foreign Wars, W. C. Horneman, commander, 160-A State House, Boston, Mass., requesting that Congress enact proper legislation for the immediate maturity of adjusted-service certificates; to the Committee on Ways and Means.

4796. Also, petition of Howard E. Gale, 63 Olney Street, Dorchester, Mass., urging prompt enactment of proper legislation to clear up the situation regarding radio broadcasting; to the Committee on the Merchant Marine and Fisheries.

4797. Also, petition of Charles F. Hanson, care of Marmon Boston Co., 894 Commonwealth Avenue, Boston, Mass., urging prompt enactment of proper legislation to clear up the situation regarding radio broadcasting; to the Committee on the Merchant Marine and Fisheries.

4798. Also, petition of Harold E. Bean, 51 Claybourne Street, Dorchester, Mass., urging prompt enactment of proper legislation to clear up the situation regarding radio broadcasting; to the Committee on the Merchant Marine and Fisheries.

4799. Also, petition of E. F. Cantwell, 6 Dakota Street, Dorchester, Mass., urging prompt enactment of proper legislation to clear up the situation regarding radio broadcasting; to the Committee on the Merchant Marine and Fisheries.

4800. Also, petition of Harry Brockelman, 40 King Street, Dorchester, Mass., urging prompt enactment of proper legislation to clear up the situation regarding radio broadcasting; to the Committee on the Merchant Marine and Fisheries.

4801. By Mr. GARBER: Statement and recommendation of the Chamber of Commerce of the United States of America on the subject of Federal tax reduction; to the Committee on Ways and Means.

4802. By Mr. GIBSON: Petition of citizens of Danville, Vt., favoring legislation for the relief of veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

4803. Also, petition of citizens of Albany, Vt., favoring legislation for the relief of veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

4804. By Mr. GREENWOOD: Petition of J. M. Henderson and 47 other citizens of Owen County, Ind., urging immediate passage of pension bill for the relief of Civil War veterans and their dependents; to the Committee on Invalid Pensions.

4805. Also, petition of T. G. McClintock and 36 other citizens of Morgan and Monroe Counties, Ind., in which it is proposed to amend the Constitution of the United States as will suitably acknowledge Almighty God as the source of all authority and power in civil government, the Lord Jesus Christ as the ruler of nations, and His revealed will as supreme authority in national affairs, and so place all Christian laws, institutions, and usages in our Government on an undeniable legal basis in the fundamental law of the land; to the Committee on the Judiciary.

4806. By Mr. HERSEY: Petition of Frederick J. Bubar and many other residents of Blaine and Mars Hill, Me., urging legislation to aid the veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

4807. By Mr. JAMES: Petition of sundry citizens of the State of Michigan, favoring increase of pension to Civil War veterans, their widows and dependents; to the Committee on Invalid Pensions.

4808. By Mr. KELLY: Petition of citizens of Pittsburgh, Pa., that pensions be increased for Civil War veterans and their widows; to the Committee on Invalid Pensions.

4809. By Mr. KIEFNER: Petition from voters of St. Francois County, Mo., urging immediate relief for Civil War veterans and their widows not provided for under the act of July 3, 1926; to the Committee on Invalid Pensions.

4810. Also, petition from voters of Piedmont, Mo., urging that immediate steps be taken to bring to a vote a Civil War pension bill; to the Committee on Invalid Pensions.

4811. By Mr. KIESS: Petition of citizens of Mackeyville, Pa., favoring legislation to increase the pension of widows of Civil War soldiers; to the Committee on Invalid Pensions.

4812. By Mr. KINDRED: Petition of 90 citizens of Brooklyn, N. Y., for the enactment by Congress of additional legislation for the relief of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4813. Also, petition of the United States Maimed Soldiers League, urging Congress to pass favorably on House bill 13451, providing a needed increase in pension in behalf of veterans of the World War to enable them to purchase suitable artificial limbs as a result of wounds received in line of duty; to the Committee on Invalid Pensions.

4814. By Mr. KING: Petition signed by Margaret J. Parke and eight other citizens of Knoxville, Ill., urging that immediate steps be taken to bring to a vote a Civil War pension bill in order that relief may be accorded to needy and suffering veterans and widows; to the Committee on Invalid Pensions.

4815. Also, petition signed by Thomas Romine and 142 other citizens of Canton, Ill., urging that some legislation be enacted to give relief to the needy and suffering veterans and the widows of the Civil War; to the Committee on Invalid Pensions.

4816. By Mr. KVALE: Petition of Yellow Medicine County Bankers' Association, M. C. Frank, secretary, protesting against

enactment of the McFadden bill without the Hull amendments; to the Committee on Banking and Currency.

4817. Also, petition of Minnesota Bankers' Association, committee opposed to branch banking, F. P. Fellows, secretary, protesting against enactment of the McFadden bill without the Hull amendments; to the Committee on Banking and Currency.

4818. Also, petition of members of Izaak Walton League, Hanley Falls, Minn., asking for establishment of national park at the Ouachita uplift, Arkansas; to the Committee on Military Affairs.

4819. Also, petition of Carl B. Kittleson, New London, Minn., praying enactment of legislation providing for higher pension rates for Civil War veterans and their widows; to the Committee on Invalid Pensions.

4820. Also, petition of members of auxiliary to Oscar Lee Post, No. 77, American Legion, Dawson, Minn., asking enactment of certain veterans' legislation; to the Committee on World War Veterans' Legislation.

4821. Also, petition of members of the Commercial Club, Wheaton, Minn., urging enactment of the McNary-Haugen bill; to the Committee on Agriculture.

4822. Also, petition of Mr. and Mrs. V. E. Kallberg, Ortonville, Minn., protesting against enactment of the so-called Reed amendment to the immigration act, and against provisions in the act which discriminate against German and Scandinavian immigrants; to the Committee on Immigration and Naturalization.

4823. Also, petition of H. G. McConaughy and 35 residents of Glenwood, Minn., requesting a constitutional amendment acknowledging authority of Christ and supremacy of the law of God; to the Committee on the Judiciary.

4824. By Mr. LEAVITT: Petition of numerous citizens of Stillwater County, Mont., requesting increases in pension rates for veterans of the Civil War and their dependents; to the Committee on Invalid Pensions.

4825. By Mr. LOZIER: Petition of 15 citizens of Chariton County, Mo., requesting legislation favorable to Civil War veterans and their widows; to the Committee on Invalid Pensions.

4826. Also, petition of 24 citizens of Linn County, Mo., requesting pension legislation; to the Committee on Invalid Pensions.

4827. Also, petition signed by 64 citizens of Randolph County, Mo., urging pension legislation; to the Committee on Invalid Pensions.

4828. By Mr. McLAUGHLIN of Michigan: Petition of citizens of Muskegon County, State of Michigan, requesting action on the Civil War pension bill; to the Committee on Invalid Pensions.

4829. Also, petition of sundry residents of Montague, Mich., urging action on a bill providing increase of pensions for soldiers and their widows; to the Committee on Invalid Pensions.

4830. By Mr. MAGRADY: Petition of numerous citizens of Northumberland County, Pa., urging that immediate steps be taken to bring to a vote the Civil War pension bill; to the Committee on Invalid Pensions.

4831. By Mr. MANLOVE: Petition of Mr. C. H. Kennedy, Mr. A. W. Burchard, and 44 other citizens of Aurora, Lawrence County, Mo., urging the adoption of House bill 10311; to the Committee on the District of Columbia.

4832. By Mr. MILLIGAN: Petition of citizens of Harrison County, State of Missouri, requesting action on a proposed bill for an increase of pension to Civil War veterans and their widows; to the Committee on Invalid Pensions.

4833. By Mr. MOORE of Kentucky: Petition signed by 136 voters of Muhlenberg County, Ky., urging defeat of the Wadsworth amendment to House bill 6238; to the Committee on Immigration and Naturalization.

4834. Also, petition signed by three voters, urging immediate steps be taken to bring to an early vote Civil War pension legislation now pending before the House; to the Committee on Invalid Pensions.

4835. By Mr. O'CONNELL of New York: Petition of Mrs. A. Ortmann, 717 Seneca Avenue, Brooklyn, N. Y., and 35 other citizens of Brooklyn, N. Y., favoring the passage of increase of pensions to Civil War veterans and their widows; to the Committee on Invalid Pensions.

4836. By Mr. OLDFIELD: Petition of the citizens of White County, Ark., urging the passage of the widow's pension bill (H. R. 13450); to the Committee on Invalid Pensions.

4837. By Mr. PATTERSON: Petition of citizens of Merchantville, N. J., favoring Civil War pension legislation; to the Committee on Invalid Pensions.

4838. Also, petition of residents of Paulsboro, N. J., favoring Civil War pension legislation; to the Committee on Invalid Pensions.

4839. Also, petition of citizens of Gloucester City, N. J., favoring Civil War pension legislation; to the Committee on Invalid Pensions.

4840. Also, petition of residents of Camden, N. J., favoring Civil War pension legislation; to the Committee on Invalid Pensions.

4841. By Mr. PEAVEY: Petition of voters of Washburn County, Wis., urging Civil War pension legislation; to the Committee on Invalid Pensions.

4842. By Mr. PHILLIPS: Petition of citizens of Beaver County, Pa., urging the passage of House bill 10311, known as the Lankford Sunday rest bill for the District of Columbia; to the Committee on the District of Columbia.

4843. Also, petition of citizens of Butler County, Pa., urging that Congress take immediate steps to bring to a vote a Civil War pension bill that further relief may be accorded to needy and suffering veterans and their widows; to the Committee on Invalid Pensions.

4844. Also, petition of citizens of Lawrence County, Pa., urging that Congress take immediate steps to bring to a vote a Civil War pension bill that further relief may be accorded to needy and suffering veterans and their widows; to the Committee on Invalid Pensions.

4845. Also, petition of citizens of Lawrence County, Pa., urging the passage of House bill 10311, known as the Lankford Sunday rest bill for the District of Columbia; to the Committee on the District of Columbia.

4846. By Mr. RAMSEYER: Petition of residents of Hartwick, Iowa, urging that immediate steps be taken to bring to a vote the Civil War widows increase of pension bill (H. R. 13450); to the Committee on Invalid Pensions.

4847. By Mr. ROMJUE: Petition of John H. Watkins, G. W. Rudy, and others, of Scotland County, Mo., asking for legislation granting increased pensions to Civil War veterans and their widows; to the Committee on Invalid Pensions.

4848. By Mr. STRONG of Kansas: Petition of voters of Washington, Kans., urging passage of legislation providing increase of pension for Civil War veterans and their widows; to the Committee on Invalid Pensions.

4849. Also, petition of voters of Salina, Kans., urging passage of legislation providing increase of pension for Civil War veterans and their widows; to the Committee on Invalid Pensions.

4850. Also, petition of voters of Miltonvale, Kans., urging passage of legislation providing increase of pension for Civil War veterans and their widows; to the Committee on Invalid Pensions.

4851. Also, petition of voters of Clay Center, Kans., urging passage of legislation providing increase of pension for Civil War veterans and their widows; to the Committee on Invalid Pensions.

4852. By Mr. SUMMERS of Washington: Petition signed by Mrs. Alice Kropp, College Place, Wash., urging early action on the Civil War pension bill now pending; to the Committee on Invalid Pensions.

4853. Also, petition signed by C. T. Nelson and others, of Tappanish, Wash., urging early action on the Civil War pension bill now pending; to the Committee on Invalid Pensions.

4854. Also, petition signed by John Berner and others, of Garfield, Wash., urging early action on the Civil War pension bill now pending; to the Committee on Invalid Pensions.

4855. By Mr. TEMPLE: Petition of Old Glory Council, No. 138, Junior Order United American Mechanics, Scenery Hill, Washington County, Pa., opposing the passage of House bill 15335, or any legislation that will tend to weaken the immigration laws; to the Committee on Immigration.

4856. Also, petition of a number of residents of Washington, Pa., in support of a measure which will increase the rate of pension to Civil War veterans and widows of Civil War veterans; to the Committee on Invalid Pensions.

4857. Also, petition of a number of residents of Charleroi, Pa., urging passage of legislation which will provide increase of pension for Civil War veterans and widows of Civil War veterans; to the Committee on Invalid Pensions.

4858. Also, petition of members of Peters Creek United Presbyterian Church, Venetia, Pa., and of Pigeon Creek United Presbyterian Church, Eighty Four, Pa., in support of House bill 10311, known as the Lankford Sunday rest bill; to the Committee on the District of Columbia.

4859. By Mr. THOMPSON: Memorial of 140 citizens of Van Wert, Ohio, praying for the passage of House bill 13450, a bill to increase the pensions of Civil War widows; to the Committee on Invalid Pensions.

4860. By Mr. UPDIKE: Petition of Joseph W. Stone, Clarence Dupee, James M. Porter, Mrs. Mattie Edwards, William S. Davis, Claude Young, and others, all citizens of Marion

County, Ind., favoring the passage of pension legislation for the relief of veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

4861. By Mr. VINCENT of Michigan: Petition by residents of Saginaw, Mich., protesting against the passage of House bill 10311, concerning Sunday observance; to the Committee on the District of Columbia.

4862. By Mr. WOLVERTON: Petition of Guy R. Post and others, of Lewis County, W. Va., asking that the bill for the relief of widows of Civil War veterans be considered at this session of Congress; to the Committee on Invalid Pensions.

SENATE

THURSDAY, January 13, 1927

(Legislative day of Tuesday, January 11, 1927)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate resumes the consideration of House bill 7555.

MATERNITY AND INFANT HYGIENE

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7555) to authorize for the fiscal years ending June 30, 1928, and June 30, 1929, appropriations for carrying out the provisions of the act entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921.

The VICE PRESIDENT. The Senator from South Carolina [Mr. BLEASE] is entitled to the floor.

Mr. CURTIS. Mr. President—

The VICE PRESIDENT. Does the Senator from South Carolina yield to the Senator from Kansas?

Mr. BLEASE. I yield.

Mr. CURTIS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Frazier	La Follette	Robinson, Ind.
Bayard	George	Lenroot	Sackett
Bingham	Gerry	McKellar	Schall
Bleas	Gillett	McLean	Sheppard
Borah	Glass	McNary	Shipstead
Bratton	Goff	Mayfield	Shortridge
Broussard	Gooding	Metcalf	Smith
Bruce	Gould	Moses	Smoot
Cameron	Greene	Neely	Steck
Capper	Hale	Norbeck	Stephens
Caraway	Harris	Norris	Stewart
Couzens	Harrison	Nye	Trammell
Curtis	Hawes	Oddie	Tyson
Deneen	Hedlin	Overman	Wadsworth
Dill	Howell	Pepper	Walsh, Mass.
Edge	Johnson	Phipps	Walsh, Mont.
Ernst	Jones, Wash.	Pine	Warren
Ferris	Kendrick	Pittman	Willis
Fess	Keyes	Ransdell	
Fletcher	King	Robinson, Ark.	

Mr. ODDIE. I desire to announce that the Senator from Colorado [Mr. PHIPPS] and the Senator from South Dakota [Mr. McMASTER] are engaged in the Committee on Post Offices and Post Roads.

The VICE PRESIDENT. Seventy-eight Senators having answered to their names, a quorum is present.

Mr. BAYARD. Mr. President, yesterday my attention was called to the RECORD of the previous day showing that the senior Senator from Texas [Mr. SHEPPARD] had introduced a telegram from Mrs. A. D. Warner, of Wilmington, Del., purporting to represent the women's joint legislative committee of Delaware in regard to the subject of the so-called maternity bill, and thereafter, in making some comment in reply to the statement of the Senator from Missouri [Mr. REED], he suggested that the telegram speaks for itself.

I desire to state that I am opposed to the maternity bill for the same reason that I was opposed to the child labor amendment to the Federal Constitution. These good ladies representing the same organization were in favor of that proposed amendment. When the final test came before the people of my State on the adoption of the amendment to the Federal Constitution touching child labor it was unanimously turned down in both houses of the legislature. I feel quite sure, from my knowledge of the people of the State, that I better represented in my remarks what their real feeling is than does the telegram of Mrs. Warner.

THE NICARAGUAN SITUATION

Mr. BORAH. Mr. President, I desire to state that at 2 o'clock, if I can get the floor, I shall submit some remarks on the Nicaraguan situation.

CONDITIONS IN FLORIDA

Mr. FLETCHER. Mr. President, I wish to have inserted in the RECORD an article appearing in to-day's New York Times of January 13, 1927, entitled "Optimism and work is Florida's slogan." The other day in an issue of the New York Times there was an article criticizing conditions in Florida. That paper is now giving very generous space to a correction of some of the misapprehensions which might arise from the former article. I ask to have it printed in the RECORD, because it is a matter of more than local interest.

The VICE PRESIDENT. Without objection, it is so ordered. The article is as follows:

OPTIMISM AND WORK IS FLORIDA'S SLOGAN—JACKSONVILLE MAYOR TELLS NEW YORK INVESTORS THAT RECENT REVERSES ACT AS TONIC—STATE'S RESOURCES HUGE—BARRON COLLIER AT LUNCHEON IN HIS HONOR, H. H. RAYMOND, AND AUGUST HECKSCHER HAVE FAITH IN ITS FUTURE

Mayor John T. Alsop, jr., of Jacksonville, Fla., told the Faith in Florida Club, composed of New Yorkers with investments in Florida, at a luncheon given by Joseph P. Day in honor of Barron Collier at the Bankers' Club yesterday, that the people of Florida were united in optimism and hard work for the future of their State, despite the depression caused by the collapse of the "boom" and the destructive hurricane last year. Declaring that these setbacks had acted as a tonic, he said he was glad the "boom" was over, because it had been followed by sanity and stability, which, he said, would mean unlimited normal development. All Florida was working together to bring about this development, he went on, under the slogan, "Pull with us or pull out!"

Other speakers were Bird M. Robinson, president of the Short Line Railroad Association; H. H. Raymond, president of the Clyde and Mallory Steamship Lines, recently elected chairman of the board of the Atlantic, Gulf & West Indies Steamship Lines; August Heckscher, capitalist and philanthropist; Mr. Collier, representing advertising, and Mr. Day, real estate. All agreed in optimistic predictions of Florida's future. Mr. Robinson announced that a traveling exposition of Florida's products and resources in three railroad trains would set out before the end of the month for New York, New England, and the Middle West to show people the substantial possibilities of Florida.

SETBACKS ACT AS TONIC

Mayor Alsop said:

"The boom, the hurricane, and the critics have served as a tonic to Florida. For the work of the State chamber of commerce, the county and city chambers of commerce, State, county, and city officials throughout the State has been better coordinated than ever before, with the result that our people are pulling together as a mighty team. A Florida slogan is 'Pull with us or pull out.' We believe in Lincoln's famous adage, 'In union there is strength.'"

"The people of New York have played an important part in the building of Florida.

"Within the last two years the Florida East Coast Railway has expended \$60,000,000, the Atlantic Coast Line has expended \$22,000,000 and the Seaboard Air Line Railway has expended \$30,000,000 in double-tracking and making extensions to their roads to Florida—\$112,000,000, mostly of New York capital. Can you conceive of a better expression of faith in Florida?"

"The Clyde Line of New York and Florida has placed in service from New York to Florida four new boats within a little over a year, which cost \$2,000,000 each, and the Merchants & Miners Steamship Co., operating between Baltimore and Florida, has placed in service two new boats, which together cost over \$4,000,000.

"The Florida Power & Light Co., owned by New York capitalists, has expended \$100,000,000 in building plants all over Florida and they intend to spend more. The major portion of this development has been started since the boom.

BELL COMPANY EXTENDS SYSTEM

"The Southern Bell Telephone Co., owned by the parent company, the American Telegraph & Telephone Co. of New York, has invested \$10,000,000 in the last two years in extending their system throughout the State, and their budget for 1927 calls for \$4,000,000 more. This company surely has faith in Florida.

"After a most comprehensive survey, made since the boom and hurricane, the Southern Bakery Co., of which Harry Tipton, of New York, is president, has placed in its budget the sum of \$5,000,000 to be expended in Florida. A million and a half has already been invested in Jacksonville. The Ward Baking Co., also of New York, will invest a like amount.

"The Famous Players-Lasky Corporation, of New York, has invested over \$15,000,000 in Florida in the construction of moving-picture theaters patterned after your modern theaters in New York.

"When you consider the enormous capital which has been and is now being invested in Florida by New York financiers, I wonder sometimes if New York City doesn't look upon Florida as its offspring. If so, now that we have been spanked quite sufficiently and have shown a disposition to be good, why scold the infant any further?"